DOCUMENT RESUME

ED 375 561 EC 303 398

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TITLE A System Apart: A Study of the Implementation of the Least Restrictive Environment Provisions of IDEA in Massachusetts and Illinois.
INSTITUTION Education Development Center, Inc., Newton, Mass.
SPONS AGENCY National Council on Disability, Washington, DC.
PUB DATE 19 May 94
NOTE 62p.; Funding also received from the Pathways Awareness Foundation.
PUB TYPE Reports - Evaluative/Feasibility (142)

EDRS PRICE MF01/PC03 Plus Postage.
DESCRIPTORS Change Strategies; *Compliance (Legal); *Delivery Systems; *Disabilities; Educational Legislation; *Educational Methods; Educational Trends; Elementary Secondary Education; Federal Legislation; Federal Regulation; Financial Support; Inclusive Schools; Leadership; *Mainstreaming; Political Influences; Professional Development; Program Implementation; State Programs; State Standards
IDENTIFIERS *Illinois; Individuals with Disabilities Education Act; *Massachusetts

ABSTRACT

This study examined how Illinois and Massachusetts are attempting to establish a more inclusive educational system as required by the Individuals with Disabilities Education Act. The study looked at factors affecting inclusion in six categories: (1) funding, (2) education delivery systems, (3) political climate, (4) Federal and State regulations and monitoring, (5) leadership, and (6) professional development. The study involved interviews with education leaders, government officials, teachers, and parents to identify specific factors in each of these areas as essential or important to the development of more inclusive schools. How these factors operate in Massachusetts and Illinois are then compared. Thirteen general recommendations follow directly from the identification of these factors. This report of the study provides an executive summary, followed by an introductory chapter which reviews the history of the inclusion movement and compares the two states. Separate chapters then address the six areas for each of the two states. A concluding chapter identifies the factors specific to each state and factors supporting inclusion in general. Contains references in the form of endnotes. (DB)

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A System Apart

A Study of the Implementation of the Least Restrictive Environment Provisions of IDEA in Massachusetts and Illinois

EC 303398

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Education Development Center, Inc
Newton, Mass

THIS STUDY WAS FUNDED BY:

The National Council on Disability
Washington, D.C.
Edward Burke, Acting Executive Director

and

Pathways Awareness Foundation
Chicago, Ill.
Shirley Ryan, President

AKNOWLEDGEMENTS

The authors wish to thank Nancy Ames, David Riley, Sharon Pywell, Peter Richardson, and Pamela Kaufman for reading and commenting on the manuscript; and Jennifer Roscoe, Erik Wikstrom, Heidi LaFleche, and Michele Caterina for document design and editing. We would also like to thank all of the interviewees who sat with us and shared their views on inclusion. Their insights contributed to our understanding of this complicated issue.

ABOUT EDC

Education Development Center, Inc. (EDC) is an international research and development organization dedicated to improving the quality, effectiveness, and equity of education throughout the world. Projects span preschool to professional education and are designed to address critical issues in every part of the educational system. This project was completed in the Center for Family, School, and Community—Nancy Ames, Director.

A System Apart

A Study of the Implementation of the Least Restrictive Environment Provisions of IDEA in Massachusetts and Illinois

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May 19, 1994

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Inclusion at the O'Hearn Elementary School in Boston, Massachusetts

In 1989 the Boston School Committee mandated that schools in Boston move towards a more inclusive special education system. Bill Henderson, the new principal of the O'Hearn Elementary School, began integrating children with severe disabilities into regular classrooms as soon as he arrived in 1989. Teachers participated in retraining efforts which involved learning to work in teams in the same classroom. Many teachers at the school describe the shift from working alone to working with a partner as a rejuvenating shift in their careers. "This was the first time in my life I had to work so much with students in a group, and I have to say I was intimidated at first," said one special education teacher. "But I learned from my partner, and it was exciting. It was even exciting teaching her about sequential development and the kinds of things I learned as a special education instructor. It changed her view of the way to present some curricula. Working together has made us happier teachers. We got the chance to remember how much fun it is to learn."

Teachers who were initially reluctant to work in pairs for the first time in their lives now say that because their principal carefully paired and supported them, they trust the innovations he suggests. At the O'Hearn, inclusion has resulted in an exciting new curriculum and improved test scores.

Kathy O'Connor, a parent of two students at the O'Hearn (one with severe disabilities) speaks about the benefits of inclusive programs for her family. "When Timmy was isolated in a separate room all I cared about was his little corner of the school. I didn't know if the school needed a playground. I wasn't involved in school management issues. I am now. I'm part of a community for the first time. And it's wonderful to be able to walk into a school and just be a parent—not, 'there's that special needs parent.' I feel like my kids and I have been given a more normal life because both of them can go to the same school." Kathy O'Connor knows firsthand that her sons are better able to be "normal" brothers because their school can include both of them. The "regular" child in a situation like this can be someone whose friends know and accept his disabled sibling. The parents are freed from the mechanical and emotional demands that are made when a disabled child is splintered off into a far-off private placement.

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EXECUTIVE SUMMARY

Despite the best intentions of its drafters, the promise of the Individuals with Disabilities Education Act has not been fulfilled. Twenty years after its passage a majority of children with disabilities are still educated in separate schools and classrooms. There is substantial evidence that children in these separate special education classes do less well in school and in the transition to work.

State and Federal government policies contributed to the formation of this separate system. In the rush to provide services after the passage of special education legislation, policymakers focused their attention on process: identification, categorization, placement, specialists, certification. They created a bureaucratic structure and financing system dependent on rules and regulations. Outcomes for children were often forgotten.

After a decade of rhetoric on the problems of American education and a focus on outcomes for children enrolled in regular classrooms across the country, attention is now being focused on the special education system. State and Federal policymakers are initiating efforts to determine why children with disabilities are often separated from their peers, why they do poorly in school and work, and what factors contribute to more successful outcomes for them. To develop a more consistent and effective system of education for children with disabilities, many States and local districts have begun an effort to do away with the separate special education system. This new "inclusion" movement seeks to bring special education services to children in regular classes and schools, not to remove children to separate classes and schools.

This study is an examination of how two States are seeking to change their special education systems to reflect the growing concern about quality, outcomes for children and access to peers. Through interviews with education leaders, government officials, teacher, and parents, we have identified the factors in each State which are enhancing or impeding the efforts to establish a more inclusive educational system.

Illinois and Massachusetts were selected because they are comparable on a number of demographic variables, but different in their special education systems. The implementation of the Individuals with Disabilities Education Act in Massachusetts and Illinois illustrates the complexities involved in designing State programs to fulfill Federal requirements. In Massachusetts and Illinois, the implementation of the law has taken decidedly different paths, resulting in different programs and outcomes.

FACTORS AFFECTING INCLUSION

The factors affecting inclusion, which we uncovered in our study, fall into six general categories: funding, education delivery systems, political climate, Federal and State regulations and monitoring, leadership, and professional development. The following is a summary of these factors in both States with recommendations for action.

Funding Factors

Our analysis of the funding systems in the two States has led us to conclude that the following factors must be present to support more inclusive schools:

- State education funding must be consistent and funding must go directly to local school systems, rather than intermediate units.
- State special education funding must not be separated from general education funding, and the system must not contain incentives for separate programs.

FUNDING

Massachusetts does not separate general education and special education funding. All State education funds go directly to municipalities, which then allocate them to schools. In a new education formula adopted last year, special education students are not counted for purposes of State reimbursement. There are therefore few incentives in the system for separate placement. In Massachusetts, 60.3 percent of special education students are educated in regular classrooms for most of the day.

However, the Massachusetts experience with inclusion is paradoxical. A number of factors unique to the State have resulted in a special education enrollment which tops the nation. Over 17 percent of all public school children are enrolled in special education programs. And despite the State's strong record on integration, 33.4 percent of special education students are educated in separate classrooms and schools. (The other 6.3 percent of special education students are enrolled in home schooling or integrated preschool programs.)

Illinois' special education funding system is separate from general education. Most Federal and State funds are channeled to separate programs which are run by regional or collaborative organizations. Virtually every State reimbursement program contains incentives for labeling, sorting and separating children. The personnel reimbursement system in Illinois requires special education teachers to spend 50 percent of their time with special education students. The reimbursement system for

Funding Recommendations

Our recommendations for Federal and State policymakers are:

Recommendation 1: Federal policymakers should encourage States to alter their education funding and delivery systems to eliminate barriers, and to provide incentives for more inclusive schools.

Recommendation 2: States should devise funding formulas that do not separate general and special education aid, and that channel funds to local schools.

Recommendation 3: States should devise funding formulas that guarantee a consistent funding stream for education.

Recommendation 4: States should eliminate all funding incentives for separate programs.

private placements makes it less expensive for some districts to opt for private rather than public placement. State special education transportation is completely separate from general education transportation. These funding disincentives, and others, have resulted in Illinois' relatively low rate of inclusion. Only 33 percent of Illinois special education students receive their education in regular classrooms for at least 75 percent of the day.

Both States have suffered diminished resources for education; Massachusetts, in particular, has had an inconsistent funding stream for education. Both States have been involved in equity tax suits, reflecting concerns with variability in funding among districts. Inconsistent and inequitable funding has resulted in problems at the local level; districts cannot engage in strategic planning for restructured schools if their funding streams are inconsistent.

DELIVERY SYSTEM

Schools in Massachusetts are governed by local elected boards which exercise power over budgets, curricula and personnel. Special education programs are part of each local district's responsibility. The majority of programs for children with disabilities are provided in local school buildings. In addition, the Massachusetts special education placement system is simple and non-categorical. The system does not require a child to be labeled and placed in a categorical program; placement is based on the time a child spends in the regular classroom. The Massachusetts system has discouraged the creation of a separate infrastructure and has encouraged the placement of children in regular classrooms and home schools. For Massachusetts, the placement and delivery system has succeeded in preventing a separate infrastructure from developing.

However, Massachusetts does have a strong system of private special education schools, and a system of collaboratives which provide programs in separate settings. Over one-third of Massachusetts special education students receive their programs in separate classrooms; over 4 percent are enrolled in separate private or public collaborative programs. Despite continued State efforts to reduce the number of children in separate programs, little progress has been made in the past several years. More work needs to be done to reduce the number of children in separate programs.

Delivery System Factors

The following factors are important in ensuring that State delivery systems support inclusive programs:

- The special education placement system must be simple and non-categorical, emphasizing services to children, rather than placements.
- Local schools must be responsible for the education of children with disabilities, not intermediate organizations.

In contrast, the Illinois system is designed to separate children with disabilities from their peers. The designation of regional entities and cooperatives as recipients of special education funding shifts the emphasis of the special education system from providing services in regular classrooms, to removing children to separate places for services. The categorical placement system is complex and restrictive; it reinforces the culture of separateness. In addition a strong, unregulated private sector has interfered with changes in the delivery and funding system that are a necessary prerequisite for inclusive schools to prosper.

Delivery System Recommendations

Our recommendations for Federal and State policymakers are:

Recommendation 5: States should institute delivery systems that designate local schools as the primary providers of special education services.

Recommendation 6: States should institute placement systems that are non-categorical and simple.

POLITICAL CLIMATE

In Massachusetts, a statewide system of political support is in place to promote inclusive programs. The Board and Department of Education, parents and advocacy groups, and a significant number of local administrators and teachers have taken leading roles in a growing movement to open schools and classrooms to all children.

The Board of Education has taken a strong stance in supporting integrated programs and the Department has made inclusion a top priority of grant programs and technical assistance. Advocacy groups have taken the lead in highlighting the disincentives in the system and lobbying for action.

Teachers are supportive of the concept of inclusion, but wary of its effects, particularly in areas where budget cuts have reduced supportive services. Many teachers feel that they have not been properly trained to teach children with moderate to severe disabilities. However, this statewide support has provided fertile ground for the development of local efforts to open schools.

In Illinois, the statewide support for inclusion is weak. The Board of Education has refused to adopt a strong position. While many Board staff are supportive of the movement, a large and concerted effort has not taken hold. A movement to change the regulations in the area of placement, private school reimbursement,

transportation, and personnel reimbursement is underway, but in its initial stages. The Board has also supported a grant program, Project Choices, to encourage local schools to establish programs. But these initiatives are tinkering at the edges of major problems inherent in the funding and delivery systems.

Advocacy groups In Illinois are divided on the question of inclusion, and that division is reflected in the lack of movement on the major issues of funding and delivery. Teachers' groups are reflective, but worried about whether supports and retraining will be available. And the private sector, with its heavy lobbying apparatus, presents a formidable barrier to change. This fragmented political landscape presents a forbidding atmosphere for school change. However, many local leaders have created a grassroots network of inclusive programs in Illinois. The question is whether they can take root and grow without statewide support.

Political Climate Recommendations

Our recommendations for Federal and State policymakers are:

Recommendation 7: State Boards of Education must take a strong stance supporting inclusion.

Recommendation 8: States must make a special effort to include teachers in the developing political network supporting inclusion.

Recommendation 9: The private special education sector must be regulated to ensure safety and quality. Private schools must not be given an advantage over public institutions in promoting their own interests.

Political Climate Factors

The following factors are important in the development of a supportive political environment for inclusive education:

- A critical mass of political support must exist at the State level for inclusive programs to develop and last over time.
- Teachers must be involved in the political movement for more inclusive schools.
- The private sector must be regulated and must not be able to exert undo pressure in an effort to promote private placements.

FEDERAL AND STATE REGULATIONS AND MONITORING

The U.S. Department of Education has not aggressively monitored provisions of special education law which support placement in the least restrictive environment. Despite the fact that a majority of children with disabilities are being educated in separate settings, there has been no wide-scale Federal effort designed to reverse this trend. There is an indication that new leadership in the Department of Education has brought with it an increased interest in inclusive programs.

However, a host of Federal regulations for Chapter 1 and special education (IDEA) have encouraged "pull-out" programs in local schools. The problems associated with "pull-outs" have been compounded at the State level. State rules and regulations have

Federal and State Regulations and Monitoring Factors

Our analysis of Federal and State regulations and monitoring have led us to conclude that the following factors are important components in supporting inclusion:

- Federal and State government must take an active role in monitoring the implementation of Least Restrictive Environment (LRE) provisions.
- Federal regulations for Chapter 1 and special education must provide more flexibility regarding the integration of resources at the local level.
- State regulations must be fair and not promote over-identification or segregated programs.

emphasized the separation of special programs from general education. While some States have taken the lead in restructuring their systems and getting rid of unnecessary rules and regulations, others are just beginning the process.

The Massachusetts special education law and regulations are more comprehensive than Federal laws, requiring that special education students receive the "maximum feasible benefit" from their education programs. In the early years of program implementation, the eligibility standards were so loose that many children were referred inappropriately to special education. The expectation that children would receive better services in special education and the loose eligibility standards were factors in the increasing enrollments in Massachusetts.

The Massachusetts Department of Education and advocacy groups have worked together to draft regulations which are fair and accessible to parents. But the Department has been less successful in ensuring that districts educate special education students in regular classrooms. Instead the Department has tried to foster change through grant funding and technical assistance.

In Illinois, State regulations for special education promote segregation. Due process procedures are lengthy and sometimes result in inappropriate placements for one or two years. Current Individual Educational Plan (IEP) provisions permit the development of a new plan after a child has been placed in a private school, resulting in extended placements in private facilities. IEP requirements are not stringent enough to prevent the construction of a child's plan after a placement site has been selected. And regulations regarding class size and category promote the placement of children in separate programs.

Federal and State Regulations and Monitoring Recommendations

Our recommendations for Federal and State policymakers are:

Recommendation 10: The Federal government must take a more active role in monitoring the least restrictive environment provisions of Federal law, and must provide more flexibility in the regulations for Chapter 1 and special education programs at the local level.

Recommendation 11: State governments must take a more active role in monitoring the least restrictive environment provisions of State and Federal laws, and must eliminate regulations which promote overidentification and segregation.

LEADERSHIP

Leadership is a key ingredient in every successful program which we visited in both Massachusetts and Illinois. In Massachusetts leadership has been exerted at both the State and local levels. The Board and Department of Education were early supporters of inclusive programs and have worked with a strong advocacy community to promote more open schools and classrooms. Many local superintendents have created a vision for more inclusive systems, despite budget cuts which have hampered their ability to implement desired changes.

In Illinois there has been little successful State level leadership to change the flawed funding and delivery systems. Despite the fact that some Board staff are supportive of the concept of inclusive schools, their attempts to revise regulations and guidelines are in the initial stages and must pass through the legislature. Nonetheless, local superintendents are pushing the movement from the grassroots level, and many local programs are getting national attention. It is difficult to determine whether local programs can be sustained without strong leadership from above.

Leadership Factors

Our analysis of the effects of leadership has led us to the following conclusion:

- There must be State and local leadership for inclusive programs to develop and grow.

Leadership Recommendation

Recommendation 12: Federal and State policymakers must design programs to foster and support creative leadership at the State and local levels.

PROFESSIONAL DEVELOPMENT

In both Massachusetts and Illinois professional development is a key ingredient of successful programs. The changes in teachers' roles accompanying a shift to inclusive schools is complicated and dramatic. Teachers who once worked alone must now function as part of a team. Both regular and special education teachers must learn new instructional methods. Such changes cannot be accomplished overnight; they must be supported at the district level and accompanied by an expenditure of resources and time.

In both States, a reduction in the States' abilities to fund education has affected professional development activities. In Massachusetts, where other factors provide a supportive structure for inclusion, the lack of resources at the local level is a significant factor in the State's inability to move more children to inclusive programs. But the State has taken steps to improve the training of prospective teachers. Since 1989 Massachusetts has eliminated the undergraduate teaching major and required all students to major in a curricular area. This ensures that all teachers will have expertise in social studies, science, arts, literature or mathematics. Prospective teachers may

Professional Development Factors

Our analysis of professional development activities in both States has led us to conclude that the following factors are necessary for inclusive programs to prosper:

- State certification requirements must ensure that prospective teachers have expertise and experience in both special and regular education.
- Good professional development programs must be supported at the district level and accompanied by a substantial commitment of resources.

minor in special education or major in special education at the graduate level. In addition, all teaching candidates must have demonstrated knowledge of special education methods and curricula.

In 1993 Massachusetts instituted new inservice education requirements to ensure that all teachers engage in professional development activities on a regular basis. However, there is some skepticism on the part of parents and teachers about the ability of the State to fund this ambitious new program. Good professional development programs cost money. And despite the State's vision in developing a system which responds to the needs of more open schools, that vision may become clouded by a lack of funding. In the meantime a generation of teachers prepared in the old system may have difficulty making the transition to inclusive settings.

Illinois clings to the notion that teachers must be certified in eight special education categories and a number of sub specialty areas. This categorical certification system drives the State's teacher preparation programs. The Illinois Teacher Certification Board is not likely to move rapidly to change the certification system. Nonetheless, because of local leadership, teachers are being retrained to operate in more inclusive settings in innovative districts. These districts are generating interest and increasing the pressure for some reforms at the State level.

Professional Development Recommendation

Our recommendation for Federal and State policymakers is:

Recommendation 13: Federal and State policymakers must support effective preservice and inservice teacher education programs with Federal and State resources. Such programs must ensure that teachers have experience and expertise in regular and special education.

CONCLUSION

Illinois and Massachusetts took different implementation paths in their efforts to comply with Federal special education laws and regulations. Massachusetts avoided the establishment of a separate system, and has a statewide network of supports in place to restructure schools for inclusion. Indeed, 60 percent of special education students in the State already receive their education in regular classrooms. And yet, despite this record of achievement, one-third of special education students are educated in substantially separate settings. The paradox of Massachusetts is that despite the fact that there is statewide leadership, a lack of funding has prevented districts from moving forward and teachers from being retrained.

Illinois has fundamental flaws in its service delivery and funding systems and a lack of political leadership at the State level. The special education system was designed for another era, when separate programs were considered to be more efficient and effective. Almost every funding and delivery system regulation and guideline contains incentives for the separation of children with disabilities from their peers. State-level leaders have not addressed these issues squarely, but have preferred to try to change the system slowly through incremental changes in the regulations. The result has been that only 33 percent of Illinois children with disabilities are educated in regular classrooms for much of the school day.

The restructuring of schools and classrooms to include children with disabilities is a complex venture which must be supported at the Federal, State, and district levels. States committed to this new vision for schools must examine their school funding and delivery systems, their laws and regulations, and professional development activities. Care must be taken to develop a supportive political network to endorse the changes which must be made. Leadership must be nourished. And even when all of these factors are present, a lack of resources may present a significant barrier to implementation. Shifting a system which has separated students with disabilities from their peers will require a major professional development effort. That effort must be a sustained program, occurring over time, and must be supported from above; an effort that gives teachers, students, and administrators time to think, collaborate and plan. When we talk about restructuring schools for inclusion, we are talking about changing and improving schools for all children—and that requires a major commitment of resources.

The challenge for State and Federal policymakers is not the challenge of developing model programs. Model programs exist in every state and are dependent upon local leadership and initiatives. The challenge is in creating a supportive environment and directing resources in a way that makes the system the model.

INTRODUCTION

OVERVIEW

This study examines the factors in two states which are impeding or enhancing the development of inclusive schools. The study is not a longitudinal research analysis of policy implementation, but a snapshot of how states are striving to change their education systems to include more children with disabilities.

Although education is largely a local enterprise in the United States, Federal, and State policies can influence the direction and development of programs at the local level. The findings of this study are expected to yield general recommendations for Federal and State policymakers to follow in their efforts to spur the creation of more inclusive schools.

This report presents an executive summary and recommendations, an analysis of both states, and a conclusion. We have interspersed the discussion of policy factors with stories of real people we met as we sought to capture each State's story.

A BRIEF HISTORY OF THE INCLUSION MOVEMENT

The Education for All Handicapped Children Act of 1975 (P.L. 94-142) was passed in order to ensure that children with disabilities were not excluded from school or placed in separate and inappropriate programs. Among the many provisions of the statute was the following, termed the "Least Restrictive Environment" (LRE) provision:

> *to the maximum extent appropriate children with disabilities . . . are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.*[1]

In the early years of the implementation of the Act (now known as the Individuals with Disabilities Education Act—IDEA), State governments focused their attention on the process of compliance. Procedures had to be put in place quickly for notifying parents of their rights, ensuring hearings and appeals, developing evaluations and assessments, and creating curricula and programs. States implemented the law differently, developing different funding, delivery and placement systems. The Federal government focused monitoring efforts on whether procedures were in place, not on what was happening to children after they were enrolled in special education programs.

Many school districts complied with the LRE provision by "mainstreaming" children with disabilities into regular class sessions for music or art. But the children were then pulled out for the remainder of the school day. To the disability community, "mainstreaming has been no more than an empty promise of equality,

as disabled kids are kept isolated in their own classrooms."[2] Twenty years after the passage of the law only 35 percent of children ages 3-21 with disabilities are educated in regular classrooms for most of the day.[3]

A decade of interest in the outcomes for children enrolled in regular education programs has culminated in Federal and State efforts to improve student and teacher performance. And a new look at outcomes for children in special education has yielded grim statistics and a determination to improve programs for children with disabilities. Children with disabilities are more likely to drop out of school, to be involved in crime, and are less likely to live independently and to be employed. In its examination of special education, Winners All , the National Association of State Boards of Education (NASBE) attributed the poor outcomes to: "(1) the unnecessary segregation and labeling of children for special services; and (2) the ineffective practice of mainstreaming." NASBE has recommended that "State boards of education must create a new belief system and vision for education in their states that includes ALL children."[4]

This new belief system is termed "inclusion." The term springs from the disability rights community's efforts to move school systems beyond "mainstreaming" to a system in which children with disabilities are educated in their home schools with their peers, and wherever possible, in regular classrooms. The inclusion movement has been supported by two key lawsuits: Raphael Oberti v. Clementon School District in New Jersey and the Sacramento Unified School District v. Rachel Holland in California. In the Holland case the district court recognized a strong "presumption in favor of mainstreaming children with disabilities into regular education classrooms" contained in the least restrictive environment provisions of the IDEA.[5] Both of these cases won regular classroom placement for children who might benefit from some aspects of the regular classroom environment.

The move to change a system which has ensured that children with disabilities receive services has created divisions within the special education community. Parents are afraid that the "range of options" now available for their children's education will disappear. Some educators have recommended that the entire special education system be eliminated, because it is second class and separate. Others want to retain effective programs and teachers.[6] Nonetheless, the provisions of the Federal law, decisions in recent court cases, and the poor outcomes for children in special education are pushing Federal and State policymakers for action to improve the system.

AN EXAMINATION OF TWO STATES

How are States moving to implement more inclusive educational programs? What factors are impeding or enhancing State

efforts? This study will examine such factors in two States: Massachusetts and Illinois. The States are alike in many respects. Per capita income, poverty rates, State expenditures for education, average teacher salary, school age population, and percentage of children in private special education schools are similar.[7] Both have reduced their spending on elementary and secondary education in the wake of State recessions. Massachusetts has undertaken two education reform initiatives in the past decade, while Illinois is moving more slowly in consideration of such changes.

Illinois is the larger and more rural State, with a population of 11.6 million. Massachusetts is about half that size. The States differ markedly in their special education funding and delivery systems. Massachusetts special education funds are not separated from general education funds. They go directly to towns and are allocated to school systems. Illinois' special education funding is separate from general education funding, and goes predominantly to regional and cooperative programs, not to local school systems.

In Massachusetts the placement system is relatively simple; children are placed on the basis of how many hours they will spend in regular classrooms, not on the basis of disability category. In Illinois children are labeled and sorted into special classes based on categories. In Massachusetts 60 percent of children with disabilities are educated in regular classrooms at least 75 percent of the day; in Illinois that number is only 33 percent.[8]

We selected these two States because they have similar demographic characteristics and very different education systems. They provide us with contrasting environments in which to study the factors related to inclusion. In the process of the study we interviewed State policymakers and Department of Education staff; advocacy groups and parents; teachers, principals and superintendents; and researchers. Our questionnaire examined four major areas: (1) leadership, (2) special education implementation, (3) education finance, and (4) education delivery systems. From our interviews and document review we have assembled a picture of special education inclusion in two states, and the major factors affecting change. As the result of our study we have identified six categories of factors affecting inclusion: funding, delivery systems, political climate, Federal and State regulations and monitoring, leadership, and professional development.

MASSACHUSETTS

OVERVIEW

Massachusetts is a State with a history of activism in education and human services. The State has a list of impressive credentials in the form of innovative State programs. Like the rest of New England, Massachusetts communities exercise considerable control over their own affairs through town meetings and councils. A progressive State government and strong local control have produced a system in which the State provides leadership, but in which local communities are given wide latitude in program implementation.

Throughout its history, Massachusetts has been a leading force in education. In the early 19th century the State became active in the movement to improve social conditions of the poor. The first early childhood and public school programs were also initiated in the 1800s. The nation's first public hospitals and homes for the poor were established around Boston at that time. Massachusetts is now home to over 50 colleges and universities, many of them ranking in the top tier of educational institutions throughout the world. [1]

Massachusetts' many educational institutions fed the highly skilled industries which developed in the State during the 1970s and 1980s. During the 1980s Massachusetts rode a wave of rising State revenues produced by the growing high-tech, defense, and service industries. But in 1988 the beginnings of a national recession hit Massachusetts hard. The result was a loss of over 400,000 jobs in manufacturing, high tech, defense industries, and State government by the early 1990s.

The recession produced massive cuts in government programs, including education. Many of the innovative programs of the Education Reform Act of 1985 (Chapter 188) were cut, and by 1990, local districts were in severe financial straits. In 1993, responding to the distress calls of public schools throughout the State, the legislature and the business community endorsed the Education Reform Act of 1993. The Act affects every aspect of education in Massachusetts. Uncertainty still prevails, however, at the local level, where town officials doubt the commitment of elected officials to sustain and fully fund the reform programs. [2]

FUNDING

Massachusetts is a State which relies on its municipalities for education funding. During 1992-93 communities provided 60.1 percent of funding for public elementary and secondary education, ranking the State seventh in the country in local support. [3] Decreasing State support has had an effect at the local level, where communities are struggling to meet increasing costs with less revenue.

The funding picture is further complicated by a local property tax limit (Proposition 2 $^1/_2$). This 1980 tax measure limits the yearly property tax increases which a town might levy to 2 $^1/_2$ percent. Because 2 $^1/_2$ percent is below the inflation rate, communities have had to

steadily cut back on services. The effects of Proposition 2 $^1/_2$ were mitigated during the early 1980s by decreasing school enrollments and increasing State aid. But with the recession of the late 1980s, came continuous cutbacks in State local aid for education and other services.

From 1989 to 1992, municipalities lost over $610 million in State assistance. During that period Massachusetts State support for public elementary and secondary education fell from 45 percent to 33.9 percent, ranking the Massachusetts 45th in the country in State support for education. [4]

State aid for education arrives at the local level in a lump sum. It is then allocated to schools and other town services by town councils or select committees. School committees are part of town governments and do not have a separate taxing authority. Until the passage of the Education Reform Act of 1993, towns decided upon the amount of funding due the schools. The new law requires towns to spend a minimum amount (a "foundation amount") on education. Designed to ensure a more consistent funding level for education, it will likely exacerbate the problems produced when other town services must fight for a piece of the shrinking State pie.

Education Formulas in Massachusetts

Prior to 1985, education funds were allocated in the local aid package based upon an "equalizing formula" (Chapter 70). Under Chapter 70, each school district was reimbursed for a portion of its expenditures, with poor communities receiving more school aid than wealthy districts. Reimbursement was implemented on a per pupil basis. Special education students had a weight of four (regular education students had a weight of one).[5]

In 1984 a "needs based" formula was developed. This formula considered school and municipal needs together; it took into account such environmental factors as weighted full-time equivalent students, population density, percent of persons living in poverty and others. Although Chapter 70 was not repealed, the amount due to a municipality through the Chapter 70 formula was folded into the local aid payment in a manner which was not directly related to the number of special education students in the district.[6] Although special education students still received a greater weight and more funding on paper, the State never had the funds needed to reimburse communities for their full "need," and so communities received only a fraction of what they were due for special education.

Funds for special education were not readily identifiable in the local aid payment. The funding stream went from towns to schools, and was not earmarked for separate special education programs or facilities. There were few funding incentives for the establishment of separate programs. This was a factor in the large percentage of children served in regular class-

rooms in Massachusetts. However, the perception persisted at the local level that special education students attracted more dollars directly to schools. This was a factor in the steadily increasing special education enrollments.[7] Massachusetts has a greater percentage of children enrolled in special education than other states; but the lack of earmarking for separate programs has enabled many of those students to be placed in regular classrooms.

Local municipal officials looked at the State reimbursement system another way. They believed that the State subtracted whatever additional assistance there might have been for special education students from the general education funding pot and left local communities to pay for the growing special education programs themselves. One former local official states:

> *For all practical purposes, then, it is fair to say that by the early 1990s there was basically no relationship between the amount of State aid a school district received and what it spent on special education . . . the large increases in the cost of the special education program have been of no consequence to the State government; the load has been left for local governments and local schools to bear.* [8]

A new funding system was established under the Education Reform Act of 1993. The State moved to a "foundation budget" formula which establishes a certain amount per pupil, which each municipality must contribute to education. The foundation budgeting system was designed in response to concerns raised about the variability in education funding from year to year and from one district to another. The wide variability among districts had prompted an equity funding tax suit. This litigation continued through two administrations and was recently decided by the State Supreme Judicial Court. In its opinion, the Supreme court stated that the "Massachusetts Constitution imposes an enforceable duty on the executive and legislative branches of the government of the Commonwealth to provide education in the public schools . . . without regard to the financial capacity of the community or district in which children live."[9] The Court expressed its opinion that the "Commonwealth will fulfill its responsibility with respect to defining the specifics and the appropriate means to provide constitutionally required education." [10] The opinion left it up to the legislature and the Department of Education to devise a remedy. The new State financing formula is expected to mitigate disparities among districts in Massachusetts and fulfill the expectations of the Court. The foundation budgeting formula is based on a set of assumptions about teacher salaries, enrollment, and physical plant operations that are then translated into an amount of funding required of each district. The foundation amount is the funding required to provide full education services for each child in the district.

The formula assumes that

additional funding will be needed for certain students and provisions are made to reimburse districts for the additional costs of bilingual, low income and vocational students. But the formula avoids identifying and counting special education students. Each district is assumed to have a certain number of students in need of additional remedial or special education services (14 percent) and an additional amount of funding is included to provide those services. There is no requirement that these students be identified or served in special education classes.[11]

Effects of Unstable Funding

The effect of having to implement two education reform statutes in ten years in the midst of budget cuts has affected education restructuring and inclusion efforts at the local level. One administrator in a large urban district stated that the past ten years have been like a "roller coaster ride." She feels that the State education reform efforts have been mitigated by the variability of State funding. Local districts have had to cut back on staff and services while complying with new State directives—filling out forms, engaging in professional development activities and applying for grant funding in a number of different areas.

School districts have been asked to accomplish fundamental

Fairport's Story: How Budget Cuts Affected One City

Fairport is a city of 90,000 with a school enrollment of 12,500 students. Fifty percent of all children in the district are living below the poverty line. Fairport per pupil expenditures are $3,800, well below the State average and foundation budget amount of $5,500 per pupil. Last year, the budget was so tight that the town was not able to give the school department the funding required under State guidelines.

The Director of Curriculum and Instruction and the Director of Special Education are committed to integrated programs. They have both begun attempts to move the system in that direction, but the lack of resources in Fairport presents a formidable barrier. Many remedial services for children with learning problems have been eliminated. Often the only choice available to teachers, when faced with the decision of how to assist a child, is whether or not to refer the child to special education. There are few other alternatives.

For the Director of Curriculum and Instruction, the lack of movement on inclusion is not a matter of negative attitude or lack of enthusiasm. She sees many people in the system who are willing to make the changes necessary to move toward a more inclusive system. The problem is simply a lack of resources. The amount of training that is needed, the readjustment in the curriculum, the lack of space for new programs, and the lack of personnel have conspired to slow the pace of change.

change at a time when restricted budgets are forcing larger class sizes and layoffs. In an evaluation of seven districts receiving Department of Education "restructuring grants " to promote school inclusion, researchers found that in one urban district "massive staff layoffs have resulted in staffing changes at the schools; previously planned integration efforts have suffered severely."[12]

Funding Incentives

From time to time the funding formulas for specific programs have been developed in a manner which encourages segregation. In 1987 the State altered its reimbursement formula for residential school placements, increasing the State share to 60 percent and providing direct payments to private schools. Local schools needed to set aside only 40 percent of the residential tuition.

Because of this funding incentive, the residential enrollment increased from 413 to 452 students. Simultaneously, rate increases caused tuition expenditures to soar from $16.7 million to $21 million.[13] The Executive Department of Administration and Finance quickly recognized this incentive and changed the formula in the following year. The State now only pays 50 percent of the residential tuition costs. Nonetheless, an incentive for residential over private day school placement remains in this revised system. Because the combined cost of private day school transportation and tuition is more than residential tuition alone, there is little incentive for a school district to select a private day school over a more restrictive residential school placement.

In 1993 the Department of Education and the Department of Welfare developed a formula for assisting school districts in gaining access to Medicaid for certain health and medical services related to special education. The formula provides more funding for supportive services for children who are placed in more restrictive settings. The Department of Education is working with advocacy groups to alter this funding disincentive. In Massachusetts (because of the the scrutiny of budget analysts and advocacy groups) most funding incentives for restrictive placements do not survive into the next budget cycle.

A Summary of the Current Funding Factors Affecting Inclusion In Massachusetts

- The Massachusetts education funding system does not encourage separate special education programs, because special education funds go to local schools and are not separated from general education funds.
- There are few funding incentives for separate programs in the education funding system.
- The State funding stream for education, which has been inconsistent and diminished each year, has discouraged the development of inclusive programs in local schools.

DELIVERY SYSTEM

An Overview of the System

Massachusetts has 361 school districts that serve 854,077 students.[14] Eighty-one academic and vocational regional districts have been created to serve students in rural areas. Elected local school boards have resisted State efforts to control curricula and other areas affecting education.

The Massachusetts Department of Education is directed by a State Board, whose members are appointed by the Governor. Although the Department has a reputation for innovative programs and policies, it has served a facilitative, rather than a regulatory role in its relationship to local districts.[15] The capacity of the Department to fulfill its facilitative role has been diminished through a series of budget cuts which began in 1989. The Department closed its five regional education centers, which had provided technical assistance to local districts, and cut staff in its central office by one-third. The Department has maintained its reputation for developing innovative programs and policies. However, its capacity for translating those policies into programs at the local level has been seriously affected.

Both the Department of Education and local districts have been buffeted by the requirements of implementing two education reform efforts in the past ten years. The first, Chapter 188, focused on providing local districts with resources for educating children at risk of school failure. The Act provided funding for early childhood education, comprehensive health education, basic skills remediation and drop-out prevention. It also provided funding for economically depressed districts. Within several years of implementation, the programs of Chapter 188 began to have an impact on children. By 1990 basic skills scores were increasing and drop-out rates were beginning to decline. But many of the programs were cut during the budget crisis, and by 1992 public education was in real trouble in Massachusetts.

Responding to the educational crisis at the local level, the business community took the lead in pressing for more reform measures and greater funding for education. With the help of legislative leaders, a new Education Reform Act was passed in 1993. More comprehensive than Chapter 188, the 1993 statute affects every area of education in Massachusetts. The new reforms ensure more uniform statewide standards. The reforms also provide local schools with a greater opportunity to manage their operations. A special commission will establish a core curriculum and assessment standards. Personnel decisions, which were formerly made by school boards, have been shifted to principals and superintendents. Each school in the State has a new school council comprised of teachers, parents and community members which will participate in setting the school agenda.[16]

At the State level the Department of Education has been restructured. All Federal programs, including bilingual education,

special education, and Chapter 1 programs have been merged into a new Education Improvement Group. The reorganization reflects the recent efforts of the Department to reduce "pull-out" programs and promote inclusion at the local level.

The teacher certification process has also been altered in the new legislation. In 1989 the Department introduced statewide teacher certification standards, which eliminated the undergraduate teaching major, required that all teachers major in an academic area, and that they acquire knowledge and skills in special education. The Reform Act of 1993 opens up alternative pathways for teacher certification, eliminates teacher tenure, and establishes a new system of certification and professional development that requires continuous learning. [17]

If funded, these changes and a new financing system should provide a sound basis for restructuring schools to be more inclusive and successful. But educators and municipal officials are doubtful that elected officials will have the will to pass a tax bill needed to fund the professional development provisions of the new Act.

A Brief History

Massachusetts was one of the first States to make its commitment to children with disabilities apparent. The Massachusetts Special Education Act of 1972, Chapter 766, served as a model for the Federal law (P.L. 94-142) which was passed three years later.

Chapter 766 requires that children with disabilities receive a free appropriate public education in the least restrictive environment. The Massachusetts law goes beyond the Federal law in requiring that children in special education receive the "maximum feasible benefit" from their education programs.[18] That standard has created high expectations for the performance of the special education system in Massachusetts. An active and educated advocacy community, a large system of medical centers and teaching institutions, and a high degree of professionalism within the teaching community have produced an environment in which special education is regarded as an effective approach in the education of children having difficulty in school. Those factors, combined with a (formerly) weighted finance system and loose eligibility standards, have pushed the special education enrollment beyond 17 percent.[19]

The State's high special education enrollment has troubled the legislature and Department in recent years. Eligibility standards[20] have been tightened and the Department has used a variety of grant programs to foster the development of pre-referral supports in local schools. However, these efforts have run headlong into State and local budget cuts. There is anecdotal evidence that decreased funding for education at the local level has affected the ability of schools to continue remedial efforts outside of special education. Because special education is a mandated program, local and State dollars are shifted from regular to

special education, leaving few dollars for services to children who have not been referred. Our interviews suggested that in poor urban districts, special education may be the only avenue for assistance for children with learning problems.

The Delivery System

Ninety-five percent of special education students in Massachusetts receive their education in regular public schools or integrated preschool programs. Sixty percent of those students are educated in regular classrooms for 75 percent or more of the school day. But 4.2 percent of children with disabilities are educated in separate public, private or residential schools.[21] Because of State budget cuts and the reduction of programs in local districts, some parents have sought private school placements as an alternative. During the first half of 1993, 11 of 28 cases brought before the Bureau of Special Education Appeals concerned parents seeking private school placement.[22]

Massachusetts has always had a large number of excellent private elementary, secondary and special education schools. One hundred and eighty private special education schools serve 5,000 Massachusetts students, about 3 percent of the special education students in the State. Because the State did not finance and build a large network of separate day and residential schools, the private schools have filled that gap. The State has, nonetheless, been active in setting quality standards for the private special education sector. All teachers in the private sector must be certified, although private salaries average $10,000/year less than public school salaries.[23]

In addition to the private school network, a system of separate public school programs and collaborative programs has developed to serve children with

Table 1[24]
The Massachusetts
Prototype System

502.1 **Fully Integrated Program:** full-time placement in the regular education classroom with provision of specialized services.

502.2 **Partially Integrated Program:** removed from the regular education classroom up to 25% of the school day.

502.3 **Restrictive In-School Program**: placement in separate programs up to 60% of the school day.

502.4 **Separate Classroom:** placement in special education classroom all or most of the time.

502.4i **Separate Day School:**

502.5 placement in separate public or private day school full-time.

502.6 **Residential School:** placement in residential program full-time

502.7 **Home Schooling**

502.8 **Preschool Programs**

moderate to severe disabilities. Because of the low incidence of children with these disabilities, school districts have banded together to form collaboratives, administrative entities which organize services and provide programs shared by several school systems. Currently, 242 school districts are members of 36 collaborative programs.[24] Many of the collaborative programs are housed in regular public schools, but several programs are in separate facilities.

The Placement System

Although Massachusetts has more children enrolled in special education than other states, it ranks 4th in the nation in the percentage of children enrolled in integrated school programs.[25] The Chapter 766 regulations contain provisions for a placement (prototype) system which does not label children according to disability, nor establish a wide range of categorical programs. Placement is described by the amount of time a child spends in the regular classroom. Placement decisions are supposed to be made by the IEP team and to respond directly to the needs of the child. A description of the Massachusetts prototype system is contained in Table 1.

The Massachusetts prototype system was designed to increase the placement of children in integrated settings. However, it has not entirely lived up to its promise. Despite two education reform initiatives and efforts by the Department of Education to foster inclusive practices, the proportion of children served in segregated settings has not substantially changed in seven years. (See Table 2.)

The Massachusetts prototype system has discouraged labeling and categorical placement. The system also makes it possible for children with severe disabilities to be placed in regular classrooms. However, while the system does not provide incentives for restrictive placements, 33.4 percent of special education students receive their education in substantially separate settings.[26]

A Summary of Aspects of the Education Delivery System Affecting Inclusion in Massachusetts

- The Massachusetts non-categorical placement system has encouraged the placement of children with disabilities in regular classrooms.
- A combination of education reform legislation, a supportive Board and Department of Education and an active advocacy community has only slightly decreased the percentage of children educated in substantially separate programs over the past seven years.

Table 2[27]
Percent of Massachusetts Public School Students in Different Prototypes in 1984 and 1993

	1984	1993
Regular class	8.0	12.9
Resource room (up to 25%)	53.0	47.4
Resource room (up to 60%)	14.0*	14.0*
Separate classroom	16.0*	5.2*
Collaborative day school	2.0*	1.7*
Private day school	3.0*	2.0*
Residential school	0.6*	0.5*
Home schooling	0.7	0.7
Preschool	2.4	5.6

* Denotes substantially separate programs. In 1984, 35.6 percent of special education students were educated in these programs; in 1993 the number was 33.4 percent. (Data taken from the Department of Education School System Summary Report.)

Kate's Placement in a Regular Class: How the Prototype System Opens the Options

Kate is a child with multiple and severe disabilities. She is unable to walk, or to communicate verbally, but she is being educated in a regular fourth grade classroom in a suburb of Boston. Kate's parents are active advocates on her behalf and believe strongly in the benefits of an inclusive education. The first school district to enroll Kate was apprehensive about a regular class placement, but staff members worked with her parents and a team of consultants to make her program work.

Last year Kate moved into a new school district which has enthusiastically carried on Kate's program. The regular classroom teacher is in charge of her program. She is assisted by a classroom special education aide and a curriculum specialist. Implementing Kate's program requires continuous communication among her team members, a willingness to experiment, and flexibility in creating her program.

School personnel admit that they would not have promoted a regular class placement for Kate without the strong pressure from her parents. By providing choices and different placement options, the Massachusetts system has opened the classroom doors for Kate and other children with disabilities.

POLITICAL CLIMATE

The Governor and the Legislature

During the 1980s Massachusetts had an expanding economy and a progressive political system which fostered growth in education and human service programs. The Dukakis administration focused its efforts on economic development, education, training and health care. The first Education Reform Act, Chapter 188, was backed by the Governor and the legislature, and provided over $600 million for educational programs over a four-year period.

From 1985 to 1990 new programs were established for early childhood education, comprehensive health education and basic skills remediation. An innovative drop-out prevention program and a program to reduce teen-age pregnancy were run directly from the Governor's Office. By 1990 the Dukakis Administration was forced to cut most of these programs because of a drastic reduction in State revenues.

In 1992 the business community and the legislature, responding to the dire situation at the local level, initiated an effort to reform and refinance public elementary and secondary education. The new Governor, William Weld, signed on to the effort, and in 1993 the second education reform act was passed.

Political support for maintaining Massachusetts' public education system remains strong, despite the recession and a public anti-tax sentiment. That support arises both from members of the business community who see a link between a strong educational system and economic development, and from the grassroots efforts of the many Massachusetts citizens who feel strongly about the importance of public education. Those grassroots efforts have been instrumental in shaping and maintaining the special education system in the State.

Advocacy Groups

The advocacy community in Massachusetts has been a major factor in setting the agenda in special education. Advocacy groups in the State were the first to call attention to the thousands of children with disabilities who were out of school in the United States.[15] In 1972, the Massachusetts Advocacy Center, The Massachusetts Federation for Children with Disabilities and the Disability Law Center generated the support for Chapter 766, which later became the model for Federal legislation. The advocacy community was assisted in these early efforts by the Commissioner of Education, Gregory Anrig, and other Department staff. Advocacy groups have monitored the implementation of State and Federal laws and participated in countless government commissions and task forces. The advocacy community has pressured the Department of Education to fulfill its monitoring responsibilities regarding the least restrictive environment provisions of special education laws.

In 1987 the Massachusetts Advocacy Center published a report entitled *Out of the Mainstream*, which documented the

increasing placement of children in segregated settings, and criticized the Department of Education for its lack of monitoring. The Department had been collecting data on placements by school districts and collaboratives, but had not used the data to uncover placement patterns, or to require districts to alter their practices.[30]

In 1989 the Department signed an agreement with a coalition of advocacy groups to enhance its data collection and monitoring activities to enforce LRE requirements. The Department agreed to institute a system for monitoring collaboratives and local districts for their compliance with LRE, to revise the parent notification letter to clarify a child's right to be educated in the least restrictive environment, to train Department staff on the issue, and to take other measures to ensure compliance.[31] Advocacy groups have not been satisfied with the performance of the Department in executing the agreement and continue their dialogue with the Department staff on this issue.

The Department of Education

Although the Department of Education has not vigorously exercised its monitoring and compliance reviews, it has taken an active stance in promoting statewide inclusive programs. In 1988 Commissioner of Education, Harold Raynolds, and the Associate Commissioner for Special Education, Mary Beth Fafard, were instrumental in directing attention and resources to the problem of over-identification of children and rapidly increasing special education enrollments, as well as separate programs.

The Department pursued integration initiatives by designing the new education reform programs, issuing policy statements and papers, directing grant funding, and providing technical assistance to local districts. After the passage of Chapter 188, the Department directed the development of the early childhood, comprehensive health, basic skills and drop-out prevention program, with an eye to fostering inclusion. The Department issued a series of policy papers on grade retention, ability grouping, drop-out prevention, integration and meeting the needs of all children in the regular education environment.[32]

In 1990, the Division of Special Education designed a "restructuring " grant program which directed federal discretionary dollars to seven school districts in a five-year effort to restructure schools for the integration of special education, bilingual and Chapter 1 students. In 1992 the Department channeled funds to all districts in Massachusetts to assist them in the development of systems which emphasize pre-referral and integration. In 1994 another pilot grant program will direct funds to districts in Massachusetts with the highest number of special education placements to assist in the development of pre-referral systems. The Department has also begun a program to bridge the gap between private and public schools, by encouraging collaboration and integration.[33]

Despite a real commitment and a talented staff, a lack of resources has prevented the Department from expanding its restructuring efforts. The necessity of having to implement two reform acts in ten years has diverted already precious resources into a massive planning effort. The loss of the regional centers was a blow to Department efforts to establish technical assistance centers close to school districts. And the reluctance of the Department to use its data to follow through when districts have not complied with the LRE provisions, has created an uneasy relationship with advocacy groups.

Teacher Unions

The American Federation of Teachers (AFT) defines "inclusion" as "the placement of all students with disabilities in general education classrooms without regard to the nature or severity of the students' disabilities, their ability to behave and function appropriately in the classroom, or the educational benefits they can derive." (AFT Resolution)[13] This radical and inaccurate view of inclusion arises from the experiences of AFT members who teach in predominantly poor, urban schools. Urban districts have been especially hard hit by an increase of children with special needs and decreasing Federal and State support for education. AFT teachers have experienced the frustration of having special needs children placed in their classes with few supports, and their Massachusetts members have shared in those frustrating experiences.

How Carol Thompson, Elizabeth Schaefer, and Their Staff Changed Early Childhood Education in Massachusetts

In the early 1980s the Department of Education administered a number of early childhood programs funded by the Federal government and directed towards children at risk. These programs included Head Start and preschool programs for children with disabilities funded under P.L. 94-142. Chapter 188, passed in 1986, provided local school districts in Massachusetts with the opportunity to apply for State funding for programs for all young children, not just those at risk.

Carol Thompson, Director of the Bureau of Early Childhood Education, and Elizabeth Schaefer, an Early Childhood Specialist in the Department, were to lead the program design efforts for the new early childhood programs. They were to be assisted by the Early Childhood Specialists in the regional centers throughout the State and the State Early Childhood Advisory Committee. In designing the program criteria, the staff made a decision which had far reaching effects in encouraging more inclusive programs at the local level.

Carol, Elizabeth, and the other early childhood advisors saw the problems inherent in a system that provided separate services for children with disabilities. If the criteria for the new State early childhood programs did not encourage inclusion, children with disabilities would be sorted out of integrated programs and pushed into segregated ones. From there, they would likely go on to separate special education classes in elementary school.

The early childhood staff developed guidelines for grants which, at first, encouraged inclusive programs, and by 1989, required that all funded preschool programs be integrated. When the new Federal Early Childhood Allocation Grant program was passed and funded in 1987 (P.L. 99-457), Massachusetts already had in place a developing network of inclusionary Chapter 188 programs. And by 1989, all State and Federally funded preschool programs were required to be integrated programs.

This new policy was to have an effect on early childhood teacher certification. In 1987 the early childhood staff turned their attention to the Department's two early childhood teaching certificates. A decision was made to combine the Early Childhood Special Education certificate and the Early Childhood certificate to ensure that all teachers would be ready to teach in integrated programs.

These decisions were not made by the Department working in isolation. The Department sought a wide range of public opinion. The State Board and the Commissioner were supportive of the early childhood staff's positions. The effect of these decisions was felt in every State and Federally funded preschool program in the State. When the program started in 1987 only 19 percent of children with disabilities attended integrated preschool program. By 1993 over 53 percent of those children were served in integrated preschools.[14]

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A Summary of the Political Support Factors Which Have Affected the Implementation of Inclusive Programs in Massachusetts

- Massachusetts has in place a critical mass of statewide political support which has provided fertile ground for the development of inclusive programs.
- There is little organized political support from teachers, who feel that they will be held to higher standards with fewer resources.

In Massachusetts inclusion is the "hot" topic for members of the Massachusetts Federation of Teachers (MFT), an affiliate of the AFT. Kathy Kelly, President of the MFT and a former special education teacher, recently asked MFT members to write to her about the topic. The letters she received were supportive of the notion of reducing pull-out programs and educating children with mild disabilities in regular classrooms. But teacher respondents were fearful of having to teach children with severe disabilities in crowded classrooms with few supports.

Reductions in Federal and State assistance have forced districts to lay off staff and increase class size. Moves to restructure schools and classrooms amidst budget cuts and the new education reforms requiring more stringent teacher and student evaluations, have left teachers feeling they will be unfairly held accountable for situations which they cannot control.

Many teachers in Massachusetts are supportive of inclusion; others are worried that they will be held accountable for teaching students with disabilities in crowded classrooms, with few supports.

FEDERAL AND STATE REGULATIONS

Federal Regulations

Federal regulations for Chapter 1 and special education require that local districts not supplant their own school spending with Federal funds targeted to at-risk students. The necessity for separating program resources funded through Federal grants has encouraged an obsessive attention to compliance at the local level, and has interfered with efforts to develop more inclusive programs. In an evaluation of the Massachusetts Department of Education's Restructuring Grant Program, Rossman and Anthony found the following in relation to Chapter 1 students:

> *The primary problem that hinders districts efforts to serve these students entirely in the regular classroom appears to be district level interpretation of Federal government regulations stipulating that Chapter 1 services must be supplemental services, not services that supplant the regular classroom instruction.* »

In another evaluation of the Department's integrated preschool programs, researchers found that "different funding streams have created problems in program coordination." Because the funding for integrated preschool programs may come from special education, Chapter 1, Chapter 188 and local funds, it requires a major effort to coordinate the grants and juggle the

requirements for each grant program." In a successful preschool site "it required a great deal of administrative energy, support, vision and several key people working together to coordinate funding and philosophies." [7]
In one school we visited, both a Chapter 1 teacher and a special education teacher served as part of a team teaching pair in two inclusive classrooms. Both teachers taught regular education students as well as those students designated by the grant. But Federal regulations would prohibit this type of arrangement in some districts.

In urban districts with hierarchical administrative arrangements, the efforts to coordinate Federal programs become more complicated. In Fairport, the Director of Curriculum and Instruction and the Director of Special Education are housed within the Office of Instructional Services and work together on a regular basis. But they do not participate in a dialogue with the Director of the Chapter 1 program, whose office is located in the Department of Governmental Relations. Efforts to coordinate resources at the school level will be stymied, unless the central administration can develop a comprehensive plan involving special education, bilingual education and Chapter 1 programs.

Since the late 1980s the Department of Education has been encouraging local districts to experiment with more flexible arrangements, and that message has gotten across in a number of districts. But the legacy of 20 years of doing business through pull-out programs lingers on in district bureaucratic structures and attitudes.

Federal Monitoring

At the Federal level, early emphasis was placed on assisting states to establish programs and policies which reflected the directives of the legislation. Less emphasis was placed on compliance and sanctions, particularly in the area of LRE. States were forced to compile data which determined whether processes were in place, not how children were performing in the system. The different special education programs within the U.S. Department of Education, often had different agendas, reflecting their constituencies. Data received from the Division of Assistance to States, for instance, was not used to set research or policy agendas. Until recently, the wide variation in the number of children enrolled in segregated classrooms in different states did not trigger an office-wide effort to support and enforce compliance with LRE provisions.

This period of inactivity related to compliance coincided with a period in which the Executive Branch took an active interest in disability programs, but in which there was a reluctance to interfere in State governance.

State Regulations and Monitoring

Both Chapter 766 and its regulations were developed by the Department of Education with the participation of parents and advocacy groups. Both the law and its regulations reflect the work of

A Summary of Federal and State Regulatory and Monitoring Practices Affecting Inclusion in Massachusetts

- The Massachusetts Special Education law and regulations, adopted with wide community participation, are supportive of access, fairness, and provision of services.
- The Massachusetts Department of Education and the Federal government have not aggressively monitored the LRE provisions of State and Federal laws relating to the least restrictive environment, but have preferred to foster change through technical assistance.
- Federal regulations for Chapter 1 and special education have encouraged the creation of separate programs (pull-out programs) at the local level and continue to exert a negative influence on the creation of inclusive programs.

advocates. The law requires that special education students receive the "maximum feasible benefit"[38] from their educational program. That standard has been used by some parents in the State to obtain private placements for their children, when public programs have not been satisfactory.

The original Chapter 766 eligibility standards did not define which children should be referred to special education. Any child with a "temporary" learning problem, as well as children with more permanent disabilities could be referred. In 1992, the Legislature and the Department tightened the eligibility standards and required school districts to implement some interventions before a child is referred to special education.[39]

Massachusetts' parental notification process and the State's appeals procedures reflect the work of a strong advocacy community. Massachusetts has a relatively large number of requests for hearings (over 400 per year) and appeals decisions, averaging 42 per year.[40,41] A parent may request a hearing at any time, and the Bureau of Special Education Appeals must schedule the hearing within 20 days of the receipt of a request.

The Massachusetts law and regulations have created an atmosphere of parental access and fairness, and have encouraged parents to be vocal in pursuit of good programs. At the same time, the perception of some legislators and municipal officials is that the law provides special education students with more rights and better programs at the expense of other students.

The Department of Educaton has not taken an active stance in monitoring LRE provisions of State and Federal laws. Department staff are not convinced that monitoring for compliance will change behavior at the local level. The Department would prefer to take a flexible and non-punitive stance in regard to local districts, encouraging them to change, rather than hammering them with non-compliance orders. And with limited resources, the Department would rather direct its efforts towards technical assistance.

LEADERSHIP

Key people throughout the State have contributed to the development and maintenance of inclusive programs. In each successful program which we visited, there was a key person responsible for its development and maintenance. The leaders whom we interviewed shared a commitment to the well being of children, a willingness to take risks, and a propensity to invent creative solutions to complex problems.

In two evaluations of Department restructuring programs, researchers found that leadership was a key ingredient for success. In an evaluation of State-funded Chapter 188 preschool programs Frede, Barton, and Rossano found:

Across all of the high integration sites, having a cluster of key personnel who are committed to integration at different levels provided the context in which change could occur . . . There is some evidence that this cluster of key personnel in conjunction with other factors is essential to ensuring the quality or longevity of the practice of integration by infusing the system with self-righting tendencies.[42]

And in an evaluation of Department restructuring grants efforts, researchers found that "leadership at the district and building levels is crucial" in the implementation of inclusive practices.[43] Both reports recognized that without strong leadership, programs are not likely to last over time.

The Massachusetts education system, with its flexible structure and its supportive Department of Education, has encouraged the development of a number of leaders in the area of inclusion.

Leadership: A Key Factor

- The leadership of key people has been an essential ingredient in the implementation of successful, inclusive programs in Massachusetts.

Len Lubinsky: A Superintendent Who Has Shown Leadership

The Erving School Union is a confederation of four elementary schools within five towns in western Massachusetts. The Union district has had the same Superintendent, Len Lubinsky, for the past 20 years. The four schools in the union district serve about 800 students from a mixture of blue collar and middle class families. The district has two integrated preschool programs and, with few exceptions, serves all of its children in regular classrooms.

Although Erving is the recipient of one of the Department's "restructuring grants," the Superintendent has been committed to inclusive programs for 20 years. His commitment comes from a sense that all children with disabilities should be educated with their peers, wherever possible, and a healthy skepticism about the effectiveness of pull-out programs.

This commitment to the provision of services to children in their home schools has been bolstered by the limited special services available in his rural district, and the high cost of transporting children out of the district for special services.

In the rush to fulfill the Federal and State special education regulations in the mid-1970s, Len decided not to hire a Director of Special Education. He regards that decision as having been a key factor in the success of the Erving programs. With the permission of the Department of Education, so long as one of the principals was certified as a special needs administrator, each of the principals could serve as both principal and special education administrator, and could be responsible for educating all of the children in his/her building. When educational decisions regarding special/regular education issues are made, Len describes a process where "the quarrel between regular and special education goes on inside one person's head—the principal's."

Len describes the culture of separation evident in some districts as being perpetuated by professionals who have constructed "rules to live by." Often those rules are not in the best interest of children. He has tried not to be too bothered by the Federal restrictions requiring the separation of resources, and has instructed his staff to invent ways to commingle resources and stay in compliance.

Evaluators of the State's "restructuring grants " program found the Erving district to be the most highly evolved in the development of an inclusive educational system, because there was leadership and vision from the top, a plan which had been implemented over a long period of time, and support from parents and teachers in the system.

Like other districts in the State, Erving has suffered from the lack of consistent funding for education. Before the passage of the latest reform legislation, Len thought that the school district would have to "go out of business" because of the lack of funding. The new legislation has given the district some breathing room and the opportunity to continue on with its successful programs.

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PROFESSIONAL DEVELOPMENT

An Overview

Many special education teachers have been trained at colleges and universities in categorical programs which have separated special education from regular education. States have developed certification standards which focus on disability category, and which do not require experience and skills in regular education. These teacher training and certification practices contribute to the assumptions by both regular and special education teachers that children with disabilities belong in a separate system. In a review of the implementation of P.L. 94-142, one of the original drafters of the legislation commented:

> *The primary problem appears to lie in our assumptions about students and the consequences for the organization of schools: that there are distinct groups of youngsters disabled and nondisabled, and thus a need for a distinct sets of services.*[44]

A generation of teachers with training and experience in these separate systems is now being asked to change the ways in which they operate. The following story illustrates the ways in which teachers roles must change in an inclusive program.

Developing an Inclusive Program for Anne: It's Harder Than It Looks

Anne is a child with multiple and severe disabilities in a fourth-grade class in the Boston area. Her parents fought for a regular class placement for Anne. She attended an integrated preschool and kindergarten program and was placed in a regular first grade. Her progress there was hampered by the inability of her regular classroom teacher to function as member of the school team charged with implementing Anne's IEP. According to Anne's mother, the teacher had "no idea of how to use consultants or how to make adjustments in the classroom or curriculum for Anne."

In the second grade a new configuration was tried. Anne was to remain in the regular classroom, but receive half of her instruction from a special education aide, and half from the regular classroom teacher. Anne's mother recalls that during that year she spent most of the time in the corner of the classroom with her aide.

In the third grade, a special education teacher working with the classroom teacher and an aide altered the curriculum and ensured that Anne was included in the classroom activities. But there were frequent problems because there was no time for team members to plan Anne's program, and her overall progress suffered from the absence of one person's instructional leadership.

Anne is in a new school system this year, in a building whose principal has taken charge of the planning process. There is better coordination between team members who meet on a weekly basis to discuss Anne's progress.

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Anne's story illustrates what happens when teachers are not prepared to function in an inclusive setting, and when systems are not prepared to assist them. It also illustrates why teachers are fearful when inclusion is accompanied by few supports and higher standards. In an inclusive system, regular teachers must learn to work with other teachers or teams of consultants and must have some experience in curriculum adaptation. Special education teachers must teach in regular classrooms, mastering the curriculum content and filling the role of consultant. And time must be set aside in the school schedule for team planning and communication.[45]

How the System Works in Massachusetts

In 1989 the Massachusetts legislature and Department of Education revised teacher training and certification requirements. Responding to concerns at the national level about the quality of teacher training programs, the new standards eliminated the undergraduate teaching major and required that all provisional teachers major in an academic area and take some pedagogical coursework and practica.

Special education requirements are distributed throughout the certification standards. These requirements assure that all new teachers will have preparation in regular education, that all teachers will have some knowledge in special education, and that further specialization can be accomplished at the graduate level.

All teachers seeking Massachusetts certification must: "know and effectively implement theories for integrating students with special needs into the regular classroom; and "understand the unique developmental and cultural needs of and challenges facing, special needs children, linguistic minorities and other minorities and work toward effectively integrating these students into the classroom and school and community setting."[46]

In 1993, in conjunction with the education reform, new requirements were superimposed on the 1989 standards. The new standards are more flexible in providing alternative pathways to teacher certification. Provisional teachers may now obtain certification by participating in training programs developed by school districts or private entities not related to colleges and universities. In addition to making access to the teaching profession more flexible, the Education Reform Act eliminated teacher tenure and required a continuous system of professional development.

Teacher training institutions in Massachusetts have been trying to keep up with the rapid changes in State teacher standards by eliminating the undergraduate teaching degree, enhancing academic majors and ensuring that all prospective teachers have some special education experience and coursework. They will soon have to compete with private entities and school districts, who are now permitted to provide inservice education for teachers.

A Summary of Professional Development Factors Affecting Inclusion

- The new Massachusetts teacher certification and professional development standards will ensure that new teachers have experience in inclusive educational settings.
- The current teaching force has not been trained in inclusive settings and many teachers lack the skills necessary to function effectively in inclusive systems.

ILLINOIS

OVERVIEW

Illinois is a midwestern State with two large urban areas. Chicago, Illinois, is a large urban center in the northeastern corner of the State, and East St. Louis is a portion of the urban center of St. Louis, Missouri. Most of the State, however, remains mainly agricultural. Illinois' capital, Springfield, is located near the center of the State in an agricultural area. Illinois' geography contributes to the character of political conflict for which the state is well known. The urban centers of Chicago and East St. Louis are predominantly populated by ethnic groups who are a minority of the population of the remainder of the State. These urban centers have lost significant elements of their industrial base over the past two decades and suffer from relatively high rates of crime, unemployment, and related urban problems. The nearby suburban areas have political interests different from those of the inner city. A "high-tech" corridor has arisen in the suburbs to the west of the Chicago area, property values are relatively high, and substantial new growth is evident. The large agricultural areas of the State have sustained years of stagnant property values, notably unfortunate weather conditions, and economic conditions generally unfavorable to the continued operation of "family" farms.

In this context, Illinois' educational practices have had a highly local character. First, one must note that Illinois has 950 school districts which are distinct legal entities. Many of these districts are so small that 382 of them serve fewer than 600 students each. This large number of school districts reflects a tradition of having separate elementary and high school districts that proved highly resistant to consolidation efforts during the 1980s. In the suburban areas it is not uncommon for various neighborhoods to be served by multiple elementary school districts. Community commitment to these small school districts is sufficiently great that most of them resisted a State initiative in the mid-1980s which offered some incentives for consolidation. In contrast, the city of Chicago operates a single school district which serves more than 400,000 of the State's 1.8 million students.[1]

As distinct governmental units, these local school districts obtain their revenues from Federal, State, and local sources. Both urban and rural areas have difficulty generating sufficient local revenues to operate their educational systems. The suburban school districts have generally been able to spend significantly more money per pupil because of their larger and expanding tax bases. In general, Illinois school districts are relatively more dependent than districts in other states on local property taxes. During the 1992-93 school year, Illinois ranked ninth among states in the percent of revenue for public schools which was obtained from local governments (57.9 percent). During the same period Illinois tapped Federal funds and ranked 17th among all states in the percent of revenue for public schools which was obtained from Federal sources (8.4 percent). In comparison, Illinois' State-level funding for education is conspicuously low

(33.8 percent), and Illinois ranks 46th among all states in the percent of revenue for public schools which comes from State government.[2]

FUNDING

The purpose of State education aid in Illinois is to guarantee a level of funding for each student enrolled in the public education system. Illinois accomplishes this through a foundation formula which takes into account a district's wealth and allocates State funds in an inverse proportion. The "higher the assessed value of property in a district, the more local dollars will be generated per pupil and the fewer State dollars required to reach the guaranteed amount." In 1990-91 the foundation level was $2,502 per pupil. Regardless of wealth, school districts are guaranteed at least 7 percent of the foundation amount in local assistance by the State.[3] Wealthy districts are not limited to spending only the foundation amount, however.

State assistance for general education is delivered to local school districts directly with few restrictions on spending. All districts with an enrollment of over 1,000 students and a concentration of low income students must submit an annual plan to the State Board, describing how State dollars will be spent. There is a large variation in education funding between wealthy and poor districts in Illinois; in 1990-91 the per-pupil expenditure varied from $2,409 to $11,621.[4] A lawsuit to force more equitable funding for education in the State was dismissed in 1992, when the judge ruled that the Illinois Constitution does not make education a right of its citizens.[5] After a state legislative task force failed to produce a more equitable funding formula acceptable to the legislature, the plaintiffs in the original lawsuit filed an appeal.

Chicago has been particularly hard hit by declining revenues for education. In November of 1993 the Illinois legislature approved a borrowing package which provided the schools with some legal means to operate through the 1995 fiscal year. That borrowing plan is a bridge plan and is not represented as a long-term solution for funding Chicago schools.[6]

Special Education Funding

State funding for special education is separate from general education aid, and fragmented into six separate State programs. The purpose of State aid for special education is to provide for the extra costs associated with educating a child with disabilities. State special education dollars are "attached to teachers, aides, the placement of children in particular locations, excess costs etc."[7]

Illinois special education funding is channeled to a three-tiered system of service providers. Ninety-one service providers deliver special education in a system which is separate and fragmented. Eleven regional entities were created by the State in the 1960s to provide services to children with low incidence disabilities. The regional entities were

the recipients of P.L. 94-142 funds. Some regional entities passed funds for programs to cooperatives; others provided their own programs. In 1993 the Illinois State Board of Education ceased channeling state funds to regional programs. But the regionals still receive Federal funds and some State funds through cooperatives.

Over 69 cooperatives were formed in the 1960s to provide special education services to children. The cooperatives represent voluntary joint agreements among a number of districts to provide special education services more efficiently. They receive their funding through local district support, student tuition, State grants for personnel and extraordinary costs, and through P.L. 94-142 (now IDEA). The cooperatives provide special education services to 64 percent of special education students.

Most Federal special education funding is channeled to regionals, cooperatives, and to large single districts. This system perpetuates a special education infrastructure based on the principle of separation. In 1990-91 the $470 million in State and Federal assistance to schools was dispersed in the following manner: 71 percent of the Federal dollars went to regionals and cooperatives; 85 percent of the State dollars went to school districts. [8]

P.L. 89-313 (Chapter 1) was originally intended to provide educational programs for children in State operated institutions. As the movement towards de-institutionalization progressed, States were permitted to use these funds for services to children who had returned to their local schools. Illinois has been particularly effective in capturing Federal revenue under this law. The State created a statutory mechanism which made all children receiving extraordinary State special education aid eligible for P.L. 89-313 dollars.[9] Illinois claims 15 percent of all Federal P.L. 89-313 program dollars and enrolls 41,467 children in the Chapter 1 Handicapped Program. Included in this category are all children eligible for State extraordinary service dollars, private school students and those enrolled in State orphanage programs. In 1988-89, P.L. 89-313 dollars supported tuition costs for 99.7 percent of the State's children who were sent to private, segregated facilities.[10]

IDEA funds are allocated to states to supplement special education funds and are not to be used to supplant State dollars. In Illinois, IDEA Part B flow through dollars (entitlement dollars), go to regionals, cooperatives, or large single district providers. Much of the Federal funding received by Illinois through Chapter 1 and IDEA is used to support a separate special education system.

There are six State special education programs which are funded separately from general education. These program funds are channeled to cooperatives or large districts and encourage separate programming.[11] These state programs are described below.

A Summary of the Funding Factors Affecting Inclusion in Illinois

- The Illinois special education funding system encourages segregation by separating special education and general education State aid and by channeling Federal and State funds to cooperatives and separate programs.
- A number of Illinois special education funding practices serve as incentives for segregation, including: the funding of a personnel reimbursement system which requires teachers to practice in narrow, categorical programs; the funding of special education transportation as a separate system; and the practice of making it less expensive for a district to choose a private over public placement.

Personnel Reimbursement

State reimbursement is given for special education and support personnel. The more special education teachers hired, the more State reimbursement is received. The State reimbursement program funds 19.5 percent of all special education teacher salaries in the State. Regulations tied to the reimbursement system require that special education personnel spend at least 50 percent of their time providing special education services, and that they be supervised only by certified special education supervisors. This requirement encourages the separation of regular and special education.

Extraordinary Service

The Extraordinary Services program was designed to assist school districts in paying the difference between regular education per capita costs and the costs associated with special education. The State pays the first $2,000 of these extra costs.

Private School Tuition

The State pays all costs over $4,500 for tuition in private special education schools. Because the school district pays only the first $4,500 of costs, its risk is limited. Because the State must pay for all other costs, its risk is unlimited. This reimbursement system is structured in such a manner that wealthy school districts find it relatively easy to afford the private school tuition.

Private School Room and Board

Local districts have no incentive to limit residential placements because the State picks up the tab for room and board costs. In 1991 $9.7 million of Federal IDEA funds were used to pay the room and board fees. In 1989 a State task force recommended that the State stop using IDEA funds for this purpose and that the room and board approval process be revised. The State has yet to act on these recommendations.

Special Education Transportation

Special education transportation is reimbursed 80 percent by the State. The State reimbursement formula for regular transportation pays somewhat less than 80 percent of the costs, but the State pays an increasing amount for poorer school districts. There are few incentives for local districts to be concerned about transportation costs, and no incentives for districts to blend the two transportation systems. In 1990, special education transportation cost the State of Illinois $98 million.

Orphanage Tuition

The State reimburses local districts for the full costs of educating all children living in orphanages, foster homes, or other State facilities. Programs reimbursed by the State can be offered in private facilities, including orphanages. There is little incentive for schools to provide inclusive programs for children with disabilities who are

State wards, when the State will reimburse districts for the cost of any public or private separate program.

Summer School Programs

The State reimburses school districts for the costs of providing summer programs for children with disabilities. This program is an extension of the regular school year extraordinary reimbursement program.

In Illinois, State and Federal special education dollars flow to a separate special education infrastructure that receives increased funding as more students are enrolled. There are few incentives for providing inclusive programs and reducing separate programs. A recent review of the Illinois delivery system sponsored by the Illinois Planning Council on Developmental Disabilities stated:

> *Illinois has chosen to attach most of its special education funding to the infrastructure that supports special education. As school districts and cooperatives expand their infrastructure they receive more dollars from the State. If they hire more teachers they get more dollars. If they do more transporting they get more dollars.... Attaching dollars to the infrastructure has three effects. First, it encourages the establishment and expansion of programs. Second, it sends more dollars to wealthy districts than to poor districts. Third, it makes it difficult for school districts and cooperatives to be responsive to individual student needs.*[12]

DELIVERY SYSTEM

The Illinois State Board of Education (ISBE) presides over educational policy implementation in a State known for its highly charged political battles in educational matters. The Board treads lightly in matters of controversy, particularly in the area of special education, where powerful constituencies seek to control the agenda. The Department sets general policies and procedures for the 950 school districts in Illinois, which enroll 1.8 million students. Illinois school districts are governmental entities which receive State and Federal funds and levy property taxes for the local support of education. State funds for general education are channeled predominantly to local districts with few strings attached.

Because of the rural nature of the State, special education has developed as a system apart. State and Federal special education funds are channeled to local districts, to cooperatives and to some regional entities. Rules and regulations regarding teacher certification, categorical placement and personnel reimbursement further separate the two systems. In addition, a forceful organization of private service providers, with strong ties to the legislature, has promoted a private sector agenda at the expense of reform efforts to develop more inclusive schools.

Private Schools

Illinois has 394 State-approved private special education schools that provide services to 6,668 students (3 percent of special education students).[13] Many of these private schools are located in the Chicago area; in 1990-91, 47 percent of all private students in special education schools came from the Chicago public school system. Unlike Massachusetts, the Illinois standards for private schools differ from those applied to public schools, in the areas of health and safety, and teacher certification. For example, Illinois requires that only 25 percent of each school's staff hold State teaching certificates.[14]

The private school system in Illinois has a powerful lobbying apparatus which has been effective in sheltering the system from compliance with regulations that pertain to the public sector. The Illinois State Board of Education has recently been taken to task by the Office of Civil Rights (OCR) regarding private special education schools. In a Letter of Findings,

Table 3[15]
Illinois State Board of Education
Least Restrictive Environment Categories

A. Regular education with consultation
B. Regular education with speech and language instruction
C. Regular education with consultation and related services
D. Regular education with special education less than 50% of day
E. Regular education with departmentalized education less than 50% of day
F. Special education 50% or more of day
G. Departmentalized special education 50% or more of day
H. Full-time special education class in regular building
I. Full-time departmentalized special education class in regular building
J. Full-time special education class in public day school or separate wing
K. Full-time departmentalized special education class in public day school or separate wing.
L. Residential school operated by a public school district
M. Philip J. Rock Center and School
N. Full-time special education class in a country or municipal detention center
O. Special education class on site of a children's home
P. Private day school or out of State public day school
Q. In-State private residential facility
R. Out-of-State private school
S. Homebound instruction
T. Hospital instruction

OCR determined that Illinois' practice of differentially regulating public and private sector special education schools violates the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.[15] Those practices have the effect of providing significantly lower standards of service for the children placed in private schools. OCR noted widespread disregard of basic aspects of human dignity, arbitrary and excessive segregation of children, substandard instruction and/or no instruction at all, and other grossly inadequate facilities.[16] In March 1994, OCR accepted a settlement plan offered by the Illinois State Board of Education and the Chicago school system which would ensure that private schools operate according to public school standards. Under the plan, school systems are prohibited from placing students in private schools simply on the basis of diagnostic category.[17]

The Placement System

The special education placement system in Illinois has 21 categories which distinguish among placement on the basis of the percentage of time a student spends in special education services and/or the location of the service. (See Table 3.)

When this elaborate system of placements is combined with Illinois' system of financial incentives, separation of children with disabilities occurs. This separation is further compounded by the State's categorical placement system which is based on disability labels. State regulations provide for eight disability categories. In practice the State Board of Education uses 12 different categories.[18] Teachers are certified in eight disability areas. School administrators are left with the complex problem of arranging placements for students in classes with other student who have the same labels, and with teachers who have been appropriately certified.

The result of this complex delivery and reimbursement system is a situation in which a majority of children with moderate to severe disabilities are educated in segregated settings. In 1990-91, 43 percent of children classified as trainable mentally handicapped, and 86 percent of children classified as severely/profoundly mentally handicapped were educated in segregated public or private facilities.[19]

The structure of the special education system in Illinois serves to perpetuate the attitude that special education is a place, rather than a service. An abundance of regulations, from those funding and restricting the roles of special education teachers, to those supporting categorical classrooms, support this perspective. Once a service delivery structure has been established with separate programs, private schools and separate buildings, it is difficult to introduce changes which will channel funding and bring students back to local schools.

A Summary of the Education Delivery System Factors Affecting Inclusion in Illinois

- The structure of the special education delivery system in Illinois encourages separation through its reliance on separate educational units for the delivery of services to children with disabilities.
- The cumbersome categorical placement system and unregulated private special education school system have created a situation in which children are sorted, labeled and placed in specialized programs, often apart from regular classrooms.

POLITICAL CLIMATE

The State Board of Education

Until recently, the Illinois State Board of Education's efforts to promote the least restrictive environment provisions were focused on reducing the number of children in restrictive placement categories (those in private day schools, residential facilities, home, and hospital settings). The Board has been unsuccessful in its efforts to promote inclusion for children in these segregated settings; during a ten year period the percentage of children in restricted settings actually increased.[21]

Recently, the Board has launched an effort to gradually move the system towards inclusion. In 1993, the State Superintendent requested that the State Board of Education adopt a statement supporting inclusion. The Board showed a reluctance to endorse the statement, in the wake of lobbying efforts by a number of interest groups opposed to inclusion. This is in contrast to the situation in Massachusetts, where the State Board of Education has taken an active role in promoting more integrated schools.

Despite this lack of leadership by the State Board, the Superintendent and Board staff are promoting inclusion in a number of initiatives. In 1991 the Illinois State Board of Education initiated a new student/school accountability measure which requires that all special education students be assessed with regular education students. The new program will hold local schools accountable for the progress of all children, including those enrolled in special education. The ISBE is also moving forward on the following initiatives: altering regulations to define placements by the level of services needed, not time spent in special education; funding of on-site technical assistance to increase inclusion in 100 school districts (Project Choices); granting of waivers for personnel reimbursement for districts wishing to experiment with cooperative teaching models; and screening of all private school placements. In addition, the private school and transportation reimbursement systems are being examined for regulatory changes.[22]

Despite these efforts the State Board of Education is perceived as being equivocal on the subject of inclusive education. In a 1993 review commissioned by the Illinois Planning Council on Developmental Disabilities and the State Board, educators and advocates criticized the Board for maintaining and enforcing financial and structural disincentives to inclusion: "The feeling was that if the Board really wanted to promote inclusion, they should use their financial muscle in addition to moral persuasion."[23] The Board has not exerted the kind of leadership that is needed with the legislature to alter the flawed delivery and funding systems. However, one administrator on the Board staff expressed optimism that, "a combination of regulatory changes and the granting of waivers will encourage changes at the local level."

Advocacy Groups

Advocacy groups in Illinois have been at odds with one another over the subject of inclusion. Twenty-nine advocacy organizations supportive of more integrated programs have formed a Coalition on School Inclusion. Sixteen other organizations have formed another coalition which opposes inclusion. This division reflects the controversy in the special education community. Those in favor of inclusion support measures to change the education structure in the State. Those opposed to inclusion fear that the movement will lead to the "dumping " of students with disabilities into regular classrooms, with few support services, and the loss of a system which has ensured a "continuum of services." This fear is particularly strong among members of the deaf community, who fear that the movement will result in the loss of centralized facilities and services.

Private Schools

Private schools in Illinois are a significant part of the special education delivery system. The private schools range from church affiliated treatment facilities and systems of private schools operated by agencies to proprietary storefront and bungalow schools. Private schools are not subject to the prohibitions which prevent public schools from using public funds for lobbying and campaign donations. This has given the private sector an inordinate advantage and influence in the legislative arena.

Because the private sector is not regulated as closely as the public sector, public funding is being used to maintain a system which is separate and unequal. This is in direct violation of the Individuals with Disabilities Act. The private education issue is being addressed by the State Board of Education, but the sector's influence in the legislature has presented a difficult climate in which to seek regulatory changes.

Teachers Unions

Illinois teachers unions are generally affiliated either with the Illinois Education Association (the IEA, an affiliate of National Education Association—NEA) or the Illinois Federation of Teachers (an affiliate of the AFT). The Illinois Education Association has taken a conciliatory approach to inclusion, supporting the concept if it is implemented properly. The IEA policy states that the union "supports inclusion for a student whenever he or she can function effectively in and acquire benefit from the general education classroom." [34] The statement also expresses IEA's commitment to "the continuing existence of and provision of special education placements and services in the schools of Illinois." The AFT affiliate in Illinois has not expressed a public position on inclusion.

A Summary of the Political Factors Affecting Inclusion in Illinois

- An reluctant State Board of Education, a divided advocacy community, an oppositionl private sector, and the equivocal teachers' unions have prevented the development of a critical mass of political support for inclusion In Illinois.

FEDERAL AND STATE REGULATIONS AND MONITORING

Federal Monitoring

Federal monitoring of the Illinois regulations and programs has not resulted in a changed system or the movement of children into regular classrooms. Federal monitoring has not prevented Federal special education funds from going to separate programs, rather than to local schools. In 1991, 71 percent of Federal special education dollars went to regionals and cooperatives.[25] And Federal monitoring has not prevented the State from channeling its large share of Chapter 1 Handicapped Program dollars to private placements. However, the Office for Civil Rights has recently increased its monitoring activities in Illinois regarding private school practices.

State Regulations and Monitoring: Due Process

All states are required to have due process procedures under the Federal Individuals with Disabilities Education Act. But many parents in Illinois perceive the due process system to be unfairly set against them. Although IDEA makes clear that the due process system is intended to provide speedy resolution of special education disputes between parents and schools, the Federal law does not specify how the individual states must implement the requirement.

Illinois has a two tiered special education due process system. The system has been criticized as slow, costly and capricious. The pool of available hearing officers contains a number of special education administrators who have a traditional view of separate programming for children with disabilities. The State Board of Education's staff member in charge of due process hearings indicates that the number of requests for due process hearings has been stable in Illinois at approximately 500 per year for the past decade. Of these 500 requests, approximately 130 actually go to hearings.[26] Many of the rest are simply continued from one year to the next. The remainder are settled, sometimes through formal mediation, but more often by informal negotiation between parties. ISBE data indicates the most frequently stated issues in dispute are placement, least restrictive environment, and public versus private placement.

How Delays in the Due Process System Freeze Children in Inappropriate Placements

In a recent case, a hearing was held on a complaint which had been filed two years previously. The parents of a child with disabilities in the freshman class of a high school objected to the district's practice of placing all children with disabilities in a separate campus serving juniors and seniors. The parents sought to have their son placed with children his own age, in the freshman class. Instead their son was placed on a different campus with juniors and seniors. He remained there for two years while his appeal was pending. By the time the case was resolved, the student was two months short of his junior year. Delays in the system had resulted in his being placed on the junior/senior campus for two years.

Individual Educational Programs

Advocacy organizations have expressed several concerns about ways in which traditional uses of students' Individual Educational

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Programs (IEPs) in Illinois have resulted in the arbitrary segregation of students. The most frequent complaint centers around the practice of constructing the IEP after a placement is determined, or constructing an IEP to conform to a certain place, not a set of services. In May of 1991, the Illinois State Board of Education received a directive from the U.S. Department of Education which mandated the Board to make it clear to educational entities within the State that placement decisions must be determined only after the IEP is developed.[27] The ISBE is addressing this problem as part of a regulatory and administrative review aimed at making the system more responsive to home school placement.[28]

In the case of private school placement, the State has allowed the construction of "sixty day IEPs." These are the programs developed after a child's placement in a private facility. Within 60 days after placement, regulations allow the facility to initiate a new IEP meeting and to completely change a child's educational program. The result of the new IEP is to construct a program which reflects the services available at a particular facility, not those specified by the local schools district. This process rationalizes an extended stay at the private facility.

Other complaints voiced by parents concerning the IEP process range from the assumption on the part of school personnel that children with cognitive or behavioral disabilities cannot be accommodated in regular classrooms, to the assignment of students to separate programs for reasons of staff convenience.

Class Size

Upper limits for class sizes for children with disabilities have been set in Illinois as a matter of State regulation and are generally regarded as a barrier to inclusion. Current regulations specify class sizes in several disability categories, and the regulations allow school districts to exceed that number to meet unique needs. The system of personnel reimbursement only funds special education teachers with certificates in particular disability areas and their special education supervisors. This combination of categorical placement, class size limitation, and special education personnel reimbursement has created an incentive for separate placement. Administrators must label children for placement in separate categorical classrooms taught by teachers who are relegated, for the most part, to teaching only special needs children.

The ISBE is currently addressing this issue in its examination of regulations and administrative procedures, and has drafted new regulations which would assign students on the basis of levels of service, not on the basis of building or program. The new draft regulations assign "intensity levels" based on the amount of service needed by each child, and calculate a teaching load based on the amount of service needed by the number of children being served in each class.

Regulatory and Monitoring Factors Affecting Inclusion in Illinois

- Illinois regulations and administrative procedures regarding due process, individual educational programs, class size, and State agency responsibility promote separate programs.
- Federal and State monitoring efforts have not been effective in preventing Federal dollars from being used to support the infrastructure of separate programs, or in eliminating regulations that promote separation of special education students from their peers.

How Tom Scullin and Mike Byrne Turned the Indian Prairie Schools Around in Three Years

Three years ago, Mike Byrne, the Director of Student Services in the Indian Prairie School District, presented a plan to his Superintendent, Thomas Scullin, to move the district in the direction of including all special education students in inclusive classrooms in their home schools. The Indian Prairie district is a large school district in a suburban, middle class community of Illinois that serves 11,000 students in grades K-12. The school system has been growing at the rate of 1,300 students per year. Both Mike Byrne and Tom Scullin share the philosophy that students should be educated as "close to home" as possible.

Mike Byrne went about the process of systems change in a manner which he describes as the "opposite of all of the literature on school change." He developed goals for more inclusive schools and presented them to teachers and administrators in the elementary and middle schools of the district. He did not solicit opinions or ask for a consensus on how changes should be made, but presented the operational goals as objectives to be accomplished in a period of three years. The district supported the change by devoting all of its professional development resources to school inclusion for the next year.

Teachers and union representatives were generally supportive. Of the eleven elementary school principals in the district, five were resistant to the changes prescribed in the goals. One of the district's elementary principals admits that he was angered by the administration's lack of consensus building, but that in retrospect, the changes could not have been accomplished if administrators and teachers had spent two years in discussions.

In two years all self-contained classrooms for children with disabilities have been eliminated in six elementary and two middle schools in the district. The other five elementary schools will institute the changes next year. Because the district did not have many children in private placements, the issue of returning children to their home schools was not a difficult one.

Mike attributes his success to the fact that the community is supportive of education (six tax referenda for the schools have passed in the last few years) and admiring of the Superintendent. That support has been forthcoming, despite the fact that State education cuts have affected the district, and inclusion efforts have increased the special education budget in the district.

LEADERSHIP

Local Efforts

Because of problems in the delivery system, financing, political support, and State regulations, efforts to initiate and sustain inclusionary programs in Illinois are grassroots efforts in the initial stages of development. In the 1980s several regional and cooperative educational organizations took the lead in developing clustered educational programs for children with severe disabilities in their local schools. The LaGrange Area Department of Special Education (LADSE), the DeKalb County Special Education Association (DCSEA) and the School Association for Special Education in DuPage County (SASED) began the effort that was later expanded into the State-level program, Project Choices.[29] Project Choices is being instituted in 100 schools across the State. The Project provides grant funds to local school districts to plan and implement inclusive programs in preschools, elementary and secondary schools.

An administrator in Project Choices who is an inclusion advocate commented on the pattern of separate special education programming in Illinois by saying, "We learned a lot about how to teach special needs kids, learned how to do task analysis and the like. Special education is in an evolutionary process and segregated facilities were an important part of that process, but now it is time to move on."[30]

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Other superintendents involved in Project Choices have taken a number of steps to move their schools and communities in the direction of more inclusive programs. From educating their boards, to designing staff development activities, to carefully hiring teachers committed to inclusion, these Superintendents have taken risks and provided leadership. One staff member of the ISBE stated, "these individual efforts are taking hold, and school districts not involved in Project Choices are requesting more information on inclusion. I've given over 20 presentations this year to districts which are considering moving in this direction."

How Local Superintendents Have Provided Leadership on Inclusion

Five Illinois superintendents who have taken an active position on inclusion recently participated in a panel discussion sponsored by Project Choices. The group included superintendents from West Chicago, Dekalb, Harlem, Sandwich, and Keeneyville, Illinois, all districts recognized for their progress in serving children with disabilities in less restrictive settings. Each of the discussants commented that the key factor in developing the capacity of their school district to be inclusive was the existence of a core of knowledgeable and motivated staff.

One superintendent commented that her district was on a somewhat shorter "timetable" because the district's joint agreement had simply disbanded its segregated classes. The children were then brought back to local school district classes before a system had been put in place to serve them. Her junior and senior high school staffs were already working toward inclusion, but her efforts had to be directed towards training the staffs of the elementary school buildings to function more as teams, and to accept responsibility for all the children in their schools. This appeared to involve helping some building principals tounderstand the vision of inclusion.

A second superintendent commented that his efforts had to be directed toward educating his board of education on the issue, and helping parents to understand the benefits their children would derive from sharing school experiences. A third superintendent took his staff to visit school districts where inclusion was the norm, and the staff returned and implemented an inclusion program. His district began the program with a small number of children and, over a period of three years, expanded the program to serve all children. During that time he invested significant resources in staff development—observing that the staff had to be convinced that they were capable.

A fourth superintendent observed that changes in hiring practices were necessary. He began hiring teachers who were comfortable working in teams, and in having support personnel in the classroom on a regular basis. He hired assistant principals who were willing to serve as half-time inclusion specialists. Another superintendent described going into contract negotiations with a teachers' union determined to take control of decisions related to inclusion, and of emerging from negotiations with a new contract about which all parties felt positive. Each of these leaders appears to have placed a great emphasis on relationships within the school organization. Their efforts to achieve inclusion have been facilitated by their abilities to enlist staff members in the effort—either by selectively hiring or re-training staff.

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Leadership Factors Affecting Inclusion in Illinois

- Leadership for more inclusive programs in Illinois is occurring at the grassroots level by parents, administrators, and teachers, often in the presence of pronounced institutional resistance.

Parents

Parents have been effective and active advocates for inclusion in Illinois. Active parents describe themselves as "pioneers in a new frontier" and are often viewed as "troublemakers or rabble rousers by local school personnel."[31] Many other parents have found such advocacy efforts to be a full-time job, in a system full of incentives for segregation.

The Albright's story is an example of what it takes to prevail in a system which is based on segregation, and in which the due process system is the antithesis of the Federal law's intent. Not many parents would have the fortitude or resources to pursue a case for five years, in the face of continued institutional resistance.

Leadership for more integrated schools in Illinois is occurring at the grassroots level among innovative administrators, teachers and parents. Although parents and ISBE staff members, and some local administrators are optimistic about its progress, it will be difficult for the movement to take hold without strong support from the legislature and the State Board of Education.

How One Family's Perseverance Paid Off

The Albright family's problems began when they decided to bring their 1-year-old daughter, Emily, home to a North Shore suburb from a group home west of Chicago. The Albright's local district wanted to place their daughter in a segregated school for students with mental retardation, despite the fact that she had been enrolled in an inclusive program in her group home district. The refusal of the Albrights to accept this placement for Emily began a 4 $^1/_2$ year struggle with their local school. The school district filed a due process complaint against the family, contending that Emily belonged at the private school. During the proceedings, Emily's placement was stuck, half-time at the private facility and half-time in the public school. The slow pace of the Illinois due process system resulted in Emily's remaining in this placement for her sixth- and seventh-grade school years.

Because Illinois has a cumbersome due process system, the school appealed the first due process decision which had been decided in favor of the Albrights. The school system won the second-tier decision during Emily's eighth-grade year. The Albrights then filed a Federal lawsuit which resulted in a more inclusive public school program for Emily in her sophomore year in high school.[32]

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PROFESSIONAL DEVELOPMENT

The Illinois teacher certification system certifies teachers in eight major areas with certification endorsements in a large number of specialties. A teacher becomes certified in one of these categorical areas by completing a college or university training program, and by passing a basic skills test and a subject matter test in the area of concentration. A number of questions have been raised concerning the rationale for the requirements and categories of the Illinois certification system:

(1.) The system endorses different certificates for teaching children with learning disabilities, mild mental retardation and social/emotional disorders, despite the fact that teaching methods for this group are similar.

(2.) The range of grades for which special education teachers are certified is much greater than the range of grades permitted under general education certification. As students with disabilities grow older, they may be increasingly segregated simply because their teachers do not have the academic backgrounds to help them keep up with their peers in academic subjects.

(3.) The existence of a social/emotional disorders certificate, while Federal law does not provide for social disorders as a reimbursable category, may contribute to the large number of children claimed as "seriously emotionally disturbed" in Illinois. The existence of teachers certified in "social disturbance" may contribute to some children being placed in classrooms inappropriately.

(4.) The State statute regulating discrimination by teacher training institutions does not include "disability" in its protective statement.[v]

Teacher training institutions in Illinois have contributed to the divisions between special and regular education through their highly specialized programs. That specialization carries over into Illinois certification and inservice requirements. Teacher trainees in special education are not required to have training or experience in regular education, making it difficult for them to function effectively in inclusive settings. Regular education teacher trainees are required to have only one general course in special education.

The deans of the public colleges and universities of Illinois have recently developed a joint policy statement emphasizing a need to improve the preservice training of teachers with regard to inclusion. But large-scale changes in the preservice system are not yet evident. And although the ISBE has begun an effort to improve inservice education on inclusion through Project Choices, there is no statewide requirement that teachers be re-trained in this area.

The Illinois Teacher Certification Board (ITCB) is separate from

Professional Development Factors Affecting Inclusion in Illinois

- The Illinois teacher training, certification and inservice system perpetuate the separation of special from regular education through categorical certification, with few requirements that teachers have training and experience in both special and regular education.

the ISBE; its members are appointed by the Governor. The ITCB is generally acknowledged to be conservative and slow to move on certification issues. After spending years constructing subject matter tests for regular and special education teachers, the Board is not likely to move quickly to alter certification requirements and subject matter tests to reflect a more inclusive school system.

Despite these significant drawbacks, teachers in innovative districts are participating in inclusive programs with some success. A description of teachers' participation in the LaGrange Area Department of Special Education Programs demonstrates the success of a grassroots effort.

The preceding statement is unusual because it describes a successful inclusive program in a State which has few such programs, and because it comes from a local administrator, not a State-level educational leader. The statement exemplifies both the problem and the promise of the Illinois system; a number of innovative local programs existing in a system which does not routinely support them.

LADSE's Experience in Implementing Inclusive Programs: A Statement from Howard Blackman, Director

"It has been LADSE's experience that once inclusion is underway and implemented wisely, teachers tell us that they are prepared to meet many needs of students with disabilities, if given appropriate support. Most regular education teachers who teach in inclusive classrooms report confidence in their abilities. They openly express their ownership for each student, regardless of disability, as a full member of the classroom.

We also have repeatedly learned that sound general educational strategies, not necessarily special educational methodologies, promote the outcomes desired. The use of strategies such as cooperative learning or peer tutoring has resulted in enriched cognitive growth, as well as the social benefits so inherent in inclusive schooling objectives.

Some regular classrooms have reasonable numbers, manageable students and adequate resources, but not always. Taking on another challenge without adequate support can be a little frightening. Nevertheless, our most honest assessment is that a surprising number of classroom teachers become personally invested once involved in the lives and education of students previously educated in self-contained classrooms."[34]

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CONCLUSION

FACTORS IN MASSACHUSETTS AND ILLINOIS

Factors affecting inclusion in these two states fall into six general areas: funding, education delivery system, political climate, Federal and State regulations and monitoring, leadership, and professional development.

	Massachusetts	Illinois
Funding	1. No separation of regular and special education funding. 2. Funds to towns and then to local schools. 3. Few funding incentives for separate programs. 4. Inconsistent and diminished funding stream for education	1. Separation of regular and special education funding. 2. Most special education funds to cooperatives and regional programs. 3. Many funding incentives for separate placements and programs. 4. Diminished funding stream for education.
Delivery System	1. Non-categorical placement system. 2. Strong system of private schools.	1. Categorical placement system. 2. Strong system of private schools. 3. Cooperatives and regionals special education providers.
Political Climate	1. Critical mass of State political support. 2 Teachers not exerting political leadership in promoting inclusion.	1. No systemic statewide support. 2. Teachers not exerting political leadership in promoting inclusion. 3 Private sector wields inordinate political influence.
Federal and State Regulations and Monitoring	1. Accessible and fair State law and regulations 2. Ineffective State and Federal monitoring. 3. Federal pull-out programs inpediment to inclusion.	1. State regulations promote separate programs. 2. Ineffective Federal and State monitoring. 3. Federal pull-out programs impediments to inclusion.
Leadership	1. Leadership at State and local levels.	1. Leadership is limited to local efforts.
Professional Development	1. New professional development system to integrate special and regular education. 2. Teachers ambivalent and not prepared for inclusion.	1. Professional development promotes separation of regular and special education. 2. Teachers ambivalent and not prepared for inclusion.

Massachusetts' funding and delivery system are supportive of integrated programs. A significant level of political support and leadership exists at both the State and local levels. Sixty percent of Massachusetts children with disabilities spend most of the school day in regular classrooms. But a diminished and inconsistent funding stream for education, and a lack of professional development opportunities for teachers have affected the state's ability to move on with inclusion and to integrate the one-third of special education students remaining in separate settings.

In Illinois the funding and delivery systems are perpetuating a special education system which is separate and apart from general education. A lack of political support, State-level leadership and an archaic professional development system have all contributed to a system which educates only 33 percent of children with disabilities in regular classrooms. But strong grassroots leadership in Illinois is pushing a reform agenda from the bottom, and influencing some statewide policies.

FACTORS SUPPORTING INCLUSION

Our analysis of the factors affecting inclusion in the two states has led us to conclude that the following factors are essential in providing a supportive environment for the opening of schools and classrooms to all children:

Funding

- State education funding must be consistent and must go directly to local school districts.
- State special education funding must not be separated from general education funding, and the funding system must not contain incentives for separate programs.

Delivery Systems

- The special education placement system must be simple and non-categorical, emphasizing services to children rather than placements.
- Local schools, not intermediate organizations, must be responsible for the education of children with disabilities.

Political Climate

- A critical mass of political support must exist at the State level for inclusive programs to develop and last over time.
- Teachers must be involved in the political movement for more inclusive schools.

- The private sector must be regulated and must not be able to exert undo pressure in an effort to promote private placements.

Federal and State Regulations and Monitoring

- Federal and State governments must take a more active role in monitoring.

- Federal regulations for Chapter 1 and IDEA must provide more flexibility regarding the integration of resources at the local level.

- State regulations must be fair, must make programs accessible and must not promote over-identification or segregation.

Leadership

- There must be State and local leadership for inclusive programs to develop and grow.

Professional Development

- State certification requirements must ensure that prospective teachers have expertise and experience in both special and regular education.

- Good professional development programs must be supported at the district level and must be accompanied by a substantial commitment of resources.

It is clear from our study that exemplary programs can exist and flourish in an environment that lacks these supportive features. Model programs, dependent upon local leadership, will continue to develop in hostile settings; some will thrive—others will disappear when a key person is transferred or moves on. The question for State and Federal policymakers is not how to support model programs. The question is how to redirect an entire system which has gone off course. When a system which promised to end separation and exclusion turns in on itself, fostering more separation and more exclusion, it is time to consider a major overhaul.

ENDNOTES

INTRODUCTION ENDNOTES

1. Public Law 94-142. Education of All Handicapped Children Act. 20 U.S.C. S 1412 (5)(B), reauthorized in 1990 as P.L. 101-476, The Individuals with Disabilities Education Act.
2. Shapiro, J. (1993). No pity: People with disabilities forging a new civil rights movement. New York Times Books, 167.
3. U.S. Department of Education. (1993). To assure the free appropriate public education of all children with disabilities: Fifteenth annual report to Congress on the implementation of the Individuals with Disabilities Education Act. Washington, DC: U.S. Department of Education, Office of Special Education and Rehabilitation Services, A-145.
4. National Association of State Boards of Education. (1992). Winners all: A call for inclusive schools. Alexandria, VA: Author.
5. Sacramento City Unified School District, Board of Education v. Rachel Holland. Brief for the United States as Amicus Curiae supporting appellees on Appeal from the United States District Court for the Eastern District of California, 8.
6. For a review of these points, see Fuchs, D., & Fuchs, L. Inclusive schools movement and the radicalization of special education reform. Exceptional Children, 60, 294 - 309.
7. Morgan, K., Magan, S., & Quinto, N. (Eds.). (1993). State rankings 1993; A statistical view of the United States. Lawrence, KS: Authors.
8. U.S. Department of Education. 1993 op. cit.

MASSACHUSETTS ENDNOTES

1. The New Encyclopaedia Britannica, Fifteenth Edition 1991 Chicago, IL: Author, 29, 273.
2. Director, Massachusetts Municipal Association, January 1994, Boston, MA: Author
3. Percent of revenue for public elementary and secondary schools from local governments, 1992-93. Data obtained from the Massachusetts Department of Education.
4. Percent of revenue for public elementary and secondary education from state governments, 1992-93. Data obtained from the Massachusetts Department of Education.
5. Moscovitch, E. (1994) Special education: Good intentions gone awry. Boston, MA: Pioneer Institute for Public Research.
6. Ibid.

7. Dempsey, S., & Fuchs, D. (1993). Flat versus weighted reimbursement formulas: A longitudinal analysis of statewide special education funding practices. Exceptional Children, 59, 433 - 443.
8. Moscovitch. E. 1994, op. cit. 20.
9. Massachusetts Department of Education. Unofficial synopsis of the Supreme Judicial Court decision in McDuffy v. Robertson. p. 3.
10. Memorandum from the Commissioner of Education Robert Antonucci to school districts throughout the Commonwealth, June 29, 1993.
11. Executive Director, Massachusetts Department of Education, Education Improvement Group, January 1994, Malden, MA: Author.
12. Rossman, G., & Anthony, P. (1992). Restructuring from within: The Massachusetts experiment with integrating all students in the classroom. Paper presented at the annual meeting of the American Educational Research Association, San Francisco, CA, 27.
13. Interagency working group on special education. (1988). Special education: Report to the Governor. Boston, MA: Author.
14. Massachusetts Department of Education. (1993). Massachusetts special education data: March 1993. Malden, MA: Author.
15. Department Staff, Massachusetts Department of Education, November 1993, Malden, MA: Author.
16. Massachusetts Department of Education. (1993). Massachusetts Education Reform Act: Resource materials. Quincy, MA: Author.
17. Massachusetts Department of Education, (1993). Draft regulations for the certification of educational personnel. Malden, MA: Author.
18. Chapter 766 of the Acts of 1972 of the Commonwealth of Massachusetts, M.G.L.C. 71B.
19. Massachusetts Department of Education. (1993) School system summary report on special education enrollments. Quincy, MA: Author.
20. Massachusetts Department of Education. (1992). Eligibility guidelines for special education. Quincy, MA: Author.
21. Massachusetts Department of Education, (1994). Massachusetts summary information on special education enrollment. Malden, MA: Author.
22. Massachusetts Bureau of Special Education Appeals. (1993). Special education appeals decision summary for 1993-1994. Malden, MA: Author.
23. Director of the Massachusetts Association of Chapter 766 Approved Private Special Education Schools, January 1994, Boston, MA: Author.
24. Report of the Massachusetts Organization of Education Collaboratives: undated.
25. U.S. Department of Education. (1993). To assure the free appropriate public education of all children with disabilities: Fifteenth annual report to Congress on the implementation of the Individuals with

Disabilities Education Act. Washington, D.C.: U.S. Department of Education, Office of Special Education and Rehabilitation Services, A-145.

26. Massachusetts Advocacy Center, (1987). Out of the mainstream: Education of disabled youth in Massachusetts. Boston, MA: Author.
27. Massachusetts Department of Education, (1994). School system summary report, 1984 & 1992 Malden, MA: Author.
28. Ibid.
29. Task Force on Children Out of Schools, (1971). The way we go to school: The exclusion of children in Boston. Boston, MA: Beacon Press.
30. Massachusetts Advocacy Center, 1987, op. cit. 32.
31. Massachusetts Department of Education, (1986). Into the mainstream coalition agreements. Quincy, MA: Author.
32. See, for example, Massachusetts Department of Education, (1992), Changing schools and communities; A focus on discipline; A focus on grade retention.
33. Massachusetts Department of Education, (1963). Discretionary grants and allocation accounts for special education. Quincy, MA: Author.
34. Massachusetts Department of Education, Division of Early Learning Services. (1992). Percentage of 3, 4, and 5 year olds with special needs served in integrated programs 1987-1992. Quincy, MA: Author.
35. American Federation of Teachers: Executive Council Resolution, (1993). AFT Resolution: Inclusion of students with disabilities. Washington DC: Author.
36. Rossman & Anthony, 1992, op. cit. 21.
37. Frede, E., Barton, A., & Rosario, J. (1991). Integrating young children with special needs: State policies and their relationship to local practices. Paper prepared for the Massachusetts Department of Education, Quincy, MA, p. 3.
38. Chapter 766 of the Acts of 1972 of the Commonwealth of Massachusetts M.G.L.C. 71B.
39. Massachusetts Department of Education, Eligibility guidelines.
40. Massachusetts Bureau of Special Education Appeals, (1994). Special education appeals history. Malden, MA: Author.
41. Massachusetts Bureau of Special Education Appeals, (1994). Special education appeals decision summary for 1993-1994. Malden, MA: Author.
42. Frede, Barton, & Rosario. 1991, op. cit. 14.
43. Rossman, & Anthony, 1992, op. cit. 19.
44. Walker, L. Procedural rights in the wrong system: Special education is not enough. In A. Gartner, & T. Joe (Eds.). (1987). Images of the disabled: Disabled images. New York: Praeger, 109.

45. Riley, M., Morocco, C., Gordon, S., & Howard, C. (1993). Walking the talk: Putting constructivist thinking into practice in classrooms. Educational Horizons, 71, 187-196.

46. Massachusetts Department of Education. (1991). Certification standards for educational personnel. 603 Code of Massachusetts Regulations 70.00, 17.

ILLINOIS ENDNOTES

1. Illinois State board of Education, (1992). Annual Report. Springfield, IL: Author.

2. Massachusetts Department of Education. Percent of revenue for public elementary and secondary education from state, local and federal government, 1992-93. Malden, MA: Author.

3. Kane, D., John, S., Bell, R., & Charlesworth, C. (1993). The identification of financial disincentives to educating children and youth with moderate to severe and multiple disabilities in their home schools. Springfield, IL: Illinois Planning Council on Developmental Disabilities and the Illinois State Board of Education, 58.

   This is a comprehensive and timely description of the special education finance system in Illinois.

4. Kane, et al., 1993, op. cit. 70.

5. Forte, L, (1993 June). Four more states forced into finance reform. Catalyst: Voices of Chicago School Reform, 9 (6).

6. Interview with Linda Lenz, Editor of Catalyst.

7. Kane, et al., 1993, op. cit. 57.

8. Kane, et al., 1993, op. cit. 64.

9. Illinois Compiled Statutes, Chapter 105, 14 -7.02a.

10. Kane, et al., 1993, op. cit. 81.

11. For an in-depth description of the state special education programs discussed in the following section see Kane, et al., 1993 op. cit. 64 and Hemp, R., Freagon, S., & Leininger, R., Categorization and funding: Illinois disincentives to home school inclusion. Paper prepared for the Illinois Planning Council on Developmental Disabilities.

12. Kane, et al., 1993, op. cit. 104.

13. Illinois State Board of Education, (1992-93). Memorandum 92-59M. Approved eligible non-public facilities with allowable costs. Springfield, IL: Author.

14. Kane, et al., 1993, op. cit. 41.

15. Title 20 Individuals with disabilities education law reporter. 687 (OCR 1993).

16. Title 20 Individuals with disabilities education law reporter 699 (OCR 1993).

17. United States Department of Education Office for Civil Rights, (March 1994). Settlement Agreement 00-92-1009, Washington DC: Author.

18. Hemp, R., Freagon, S., & Leininger, R. Categorization and funding: Illinois disincentives to home school inclusion. Paper prepared for the Illinois Planning Council on Developmental Disabilities and Kane, et al., (1993). op. cit. 7.

19. Title 23 Illinois Administrative Code 226-552.

20. Kane, et al., 1993, op. cit. Table 8 and Hemp, R., Freagon, S., & Leininger, R., op. cit. 3 - 5.

21. Illinois State Board of Education. (1993). Office of special education data notes. Springfield, ILL: Author.

22. Senior Administrators, Illinois State Board of Education, (March 1994). Chicago and Springfield, IL: Authors. (phone interviews)

23. Kane, et al., 1993, op. cit. 158.

24. Illinois Education Association (1994). Policy statement on inclusion.

25. Kane, et al., 1993, op. cit. 158.

26. Senior administratior, Illinois State Board of Education, (December 1993). Springfield, IL: Author.

27. 23 Illinois Administrative Code 401.120-401.130.

28. Illinois State Board of Education, Office of Special Education Programs. (1991). Final monitoring report: 1989 review of Illinois State Board of Education: Springfield, IL: Author, C2.

29. Kane, et al., 1993, op. cit. 26.

30. Kane, et al., 1993, op. cit. 160.

31. Kane, et al., 1993 op. cit. 152.

32. McManus v Wilmette School District 39, ND Ill. Docket No. 91C6497, and Pioneer Press (September 23, 1993) 7. The names of actual people and places have been changed.

33. Chapter 105 Illinois Compiled Statutes 21-22.

34. Blackman, H., (1990). Typically asked questions about inclusion. LaGrange, Illinois: LaGrange Area Department of Special Education.

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